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Promotion and protection of human rights: human rights questions, including alternative approaches to improving the effective enjoyment of human rights and fundamental freedoms

United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region**Report of the Secretary-General****Summary*

The report is submitted pursuant to General Assembly resolution 69/171 and provides an overview of the activities and achievements of the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region from August 2014 to July 2015. It also provides an outline of measures taken towards the implementation of the resolution in the context of increasing demand for support and expertise for the promotion of human rights in the Middle East and North Africa.

* The present report was submitted after the deadline in order to reflect recent developments.



I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 69/171 on the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region, in which, among other things, the Secretary-General was requested to submit to the Assembly at its seventieth session a report on the implementation of the resolution. It provides an outline of progress achieved by the Centre through activities conducted from August 2014 to July 2015. Most of the Centre's activities for 2015 will be implemented during the third and fourth quarters of the year.

2. The Centre operates under the supervision of the Office of the United Nations High Commissioner for Human Rights (OHCHR). It was established by the General Assembly in resolution 60/153, in 2005, and is mandated to undertake training and documentation activities according to international human rights standards and to support such efforts within the region by Governments, United Nations agencies and programmes, national human rights institutions and non-governmental organizations. The main objective of the Centre is to strengthen human rights knowledge and skills within its region of operation.¹ The Centre is hosted by the Government of Qatar.

3. Following the adoption of General Assembly resolution 67/162, regular budget funds have been allocated to reinforce the Centre's capacity to respond to training and documentation demands. The extrabudgetary funds allocated to the Centre (including the provision for two P-3 posts) have been reduced owing to the financial challenges that OHCHR has faced. The staffing capacity of the Centre has been reinforced in 2015 and currently consists of three Professional staff members (1 P-5, 1 P-4 and 1 P-3) and three support staff. All posts have now been filled.

4. The Centre has continued to conduct important work in accordance with its mandate, in particular under the global thematic priorities of OHCHR, as detailed in section II. In addition to regular training activities, the Centre has organized key regional forums and consultations on various thematic topics, including human rights and security, criminal justice reforms and the protection of minority rights.

5. The annexed table reflects a list of beneficiaries of activities conducted by the Centre up to 30 June 2015.

II. Main achievements of the Centre

6. The strategic priorities of the Centre are set in line with the six thematic priorities described in the OHCHR Office Management Plan for 2014-2017:

- (a) Strengthening international human rights mechanisms;
- (b) Enhancing equality and countering discrimination;
- (c) Combating impunity and strengthening accountability and the rule of law;

¹ The Centre covers 25 countries: Afghanistan, Algeria, Bahrain, Comoros, Djibouti, Egypt, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Somalia, State of Palestine, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates and Yemen.

- (d) Integrating human rights in development and the economic sphere;
- (e) Widening the democratic space;
- (f) Early warning and protection of human rights in situations of conflict, violence and insecurity.

7. The Centre plays an important capacity-building role for various actors, including Governments, national human rights institutions, civil society organizations and United Nations entities. It has also been engaging with regional organizations, such as the League of Arab States, the Gulf Cooperation Council and the Arab Network for National Human Rights Institutions.

8. Member States' requests for capacity-building have continued to significantly increase, especially in the following areas:

- (a) Reporting to the United Nations treaty bodies and the Working Group on the Universal Periodic Review;

- (b) Basic and advanced human rights training courses for diplomats, journalists, law enforcement officials and members of national human rights institutions;

- (c) A human rights-based approach to combating trafficking in persons.

9. Member States have financially assisted the Centre in implementing activities hosted in their countries.

10. Since its establishment, and following regional consultations, the Centre has carried out regional programmes, which have also been adopted and implemented at the country level. From August 2014 to July 2015, the Centre carried out training programmes on the following themes:

- (a) Human rights and security;

- (b) Human rights and criminal justice reform in the Middle East and North Africa;

- (c) Human rights and gender;

- (d) Human rights education;

- (e) Minority rights;

- (f) Human rights and diplomacy;

- (g) Human rights and the media;

- (h) Combating trafficking in persons;

- (i) Human rights mechanisms;

- (j) Economic, social and cultural rights;

- (k) Human rights defenders.

11. Having carried out the foregoing programmes for the past four years, the Centre has developed and forged a strong relationship with a network of former participants, some of whom have contributed to the delivery of the activities.

A. Human rights and security

12. On 5 and 6 November 2014, in Doha, OHCHR organized a conference on challenges to security and human rights in the Arab region, under the patronage of the Prime Minister and Minister of the Interior, Sheikh Abdullah bin Nasser bin Khalifa Al-Thani, the National Human Rights Committee of Qatar and the general secretariats of the League of Arab States and the Council of Arab Ministers of the Interior. The event was attended by more than 300 representatives of international and Arab organizations working in the field of human rights, interior and justice ministries, human rights departments of ministries of foreign affairs and of security institutions, and study and research centres on security and human rights issues. The conference was aimed at highlighting the importance of striking a balance between ensuring respect for human rights amid threats to security. Participants adopted recommendations, including on the importance of respecting international human rights norms and standards while combating terrorism and stronger adherence to the principles of the rule of law, including non-discrimination and equality before the law, and encouraged stronger cooperation with United Nations human rights mechanisms.

13. The Centre organized several meetings with the Department of Human Rights of the Ministry of the Interior of Qatar on combating impunity and strengthening accountability and the rule of law in Qatar. The Centre has analysed training materials for law enforcement agencies with the aim of designing a pilot project for the Qatari police academy.

B. Human rights and criminal justice reform in the Middle East and North Africa

14. On 3 and 4 November 2014, an international conference on recent trends in criminal justice reform and human rights was organized in Amman by Penal Reform International, in collaboration with the Centre and the Public Security Directorate/Correctional and Rehabilitation Centres Department of Jordan. The event brought together more than 200 participants, including human rights activists and experts, government officials, heads of correctional institutions and prisons, Islamic scholars, journalists and representatives of the United Nations, the European Commission, the African Commission on Human and Peoples' Rights and the League of Arab States. The main objective of the meeting was to provide a platform for in-depth discussions between international experts and decision makers and policymakers on international and regional standards on the administration of justice, with a focus on the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the recent proposals for the revision of the Standard Minimum Rules for the Treatment of Prisoners. The conference was also an opportunity to share good practices. The main recommendations included implementing after-care programmes aimed at ensuring the rehabilitation of prisoners; encouraging States to adopt alternatives to imprisonment, including non-custodial measures; strengthening the role of national human rights institutions and civil society organizations in monitoring places of detention; and setting national priorities for reforms of criminal justice systems and harmonization of national laws with international human rights standards. The Centre's earlier training activity with Penal Reform

International (in 2013, on the role of national human rights institutions in relation to national strategies for combating torture) informed some of the discussions. The Centre will continue to work towards strengthening the capacity of national human rights institutions to monitor places of detention.

C. Human rights and gender

15. The Centre has mainstreamed gender equality in its policies, programmes and processes. It held several training workshops to highlight issues pertaining to women's rights and gender throughout the reporting period. The Centre has posted information relating to gender equality on its website to better assist beneficiaries. From 2015, the Centre has begun to dedicate at least two of its main thematic training activities to women's rights. It is also planning to hold a regional training activity for women human rights defenders in the last quarter of 2015.

16. From 11 to 13 May 2015, the Centre organized a regional training workshop in Jordan on the role of national human rights institutions in protecting women deprived from their liberty, in collaboration with Penal Reform International. In total, 26 participants from Algeria, Egypt, Iraq, Jordan, Kuwait, Morocco, Oman, Saudi Arabia, the State of Palestine, Tunisia and Yemen attended the training, including lawyers, researchers and technical staff members from national human rights institutions and civil society actors. They were introduced to the Bangkok Rules and received training on how to monitor places of detention, reporting mechanisms and follow-up visits. Important outcomes included commitments to conducting gender-sensitive monitoring for women in prisons, including migrant women, and to promoting the protection of women deprived of their liberty.

D. Human rights education

17. From 31 August to 2 September 2014, the Centre organized a workshop on quality assurance of human rights education programmes, hosting participants specialized in curriculum design and teacher training from Bahrain, Egypt, Kuwait, Morocco, Oman, Saudi Arabia, the State of Palestine, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen. Representatives of the Arab League Educational, Cultural and Scientific Organization, the Islamic Educational, Scientific and Cultural Organization and the United Nations Educational, Scientific and Cultural Organization also attended. The workshop covered human rights education and United Nations initiatives to promote the full enjoyment of the right to education amid challenges in the Middle East and North Africa.

18. On 11 January 2015, the Centre, in partnership with Protect Education in Insecurity and Conflict, called for expressions of interest to undertake projects on the protection of the right to education in times of insecurity and armed conflict in the region. Three non-governmental organizations have been identified as eligible to receive grants and implement small-scale and medium-scale projects in Iraq and the State of Palestine, with a particular focus on refugees, displaced persons and children.

E. Minority rights

19. On 2 and 3 December 2014, the Centre organized a regional training programme and consultation on minority rights in the Middle East and North Africa, held in Tunis. The activity was aimed at enabling the participants to effectively use United Nations mechanisms for the protection of the rights of minorities. It was attended by more than 50 participants from 20 countries, including human rights defenders, religious groups, university law lecturers and representatives of ministries of foreign affairs. The key outcome was a commitment to increasing the number of initiatives and training activities to promote the protection of minority rights. This was the first in a series of annual activities (as currently planned by OHCHR) based on the guidance note of the Secretary-General on racial discrimination and protection of minorities and designed to strengthen the capacity of United Nations staff members to develop and implement activities aimed at the protection of minority rights, the role of national human rights institutions and civil society organizations in promoting and protecting minority rights and the publication of the main documents and tools in this field.

F. Human rights and diplomacy

20. Regional training on human rights and diplomacy has been a flagship activity of the Centre. It is organized in two phases, over two years, for the same participants. From 21 to 25 November 2014, the Centre organized its third annual training programme for Arab diplomats, in collaboration with the Shorouq Centre for Democracy, Media and Human Rights. The programme was initiated by the Centre in 2012 with the aim of enhancing the capacity of Arab diplomats to better engage with the United Nations human rights system. The programme hosted prominent human rights figures in the region, accommodating 21 participants, including 6 women. The second phase will be organized in September 2015. The activity has resulted in the creation of a strong network of former participants who have contributed as resource persons in subsequent training activities. Consequently, the Centre has also strengthened its partnership with the human rights departments and sections of the ministries of foreign affairs in the region.

G. Human rights and the media

21. From 11 to 15 May 2015, the Centre marked World Press Freedom Day, in partnership with national stakeholders in Morocco. A cultural and journalistic institution in Tangier, Bayt al-Sahafah, hosted the event. On 11 May, the partners organized a symposium focused on human rights education for journalists. The participants proposed recommendations to enhance the work of the media to promote and protect human rights. They were also introduced to the third phase of the World Programme for Human Rights Education (2015-2019), which is focused on human rights and journalism. From 12 to 15 May, the event was focused mainly on expert-led discussions of the participants' journalistic work (written, audio and televisual) on trafficking, arrests and detention of journalists, arrests of juveniles and children, equality between women and men in obtaining access to education and the rights of women in the region. The same participants had been trained in 2014 on a human rights-based approach to media coverage and asked to use the

knowledge gained to produce journalistic work integrating that approach. The feedback received from the participants, who formed a social media network following the training in 2014, was very positive. They all indicated their determination to continue to employ their human rights training skills in their work. Another positive outcome was the emergence of experienced participants who could contribute as resource persons for the Centre in regular activities relating to media and human rights.

H. Combating trafficking in persons

22. The Centre continues to promote the OHCHR human rights-based approach to combating trafficking in persons, on the basis of the Recommended Principles and Guidelines on Human Rights and Human Trafficking and the Arab Initiative to Combat Human Trafficking. By the end of 2015, the Centre will have provided training activities covering the entire spectrum of the Recommended Principles. The Centre continues to receive requests for copies of the Arabic version of the Recommended Principles because its partners use them in their own training activities.

23. From 21 to 23 October 2014, the Centre and the Dubai Foundation for Women and Children organized a regional training session on international cooperation and the right to effective remedy for victims of trafficking, held in Dubai, United Arab Emirates. Its purpose was to strengthen knowledge and skills with regard to combating trafficking in persons in accordance with the international standards for victims. The proceedings and feedback showed that most of the participants would benefit from additional training on the topic. The training included discussions on the definition of trafficking, the roles and responsibilities of officials and decision makers and the rights of victims. In addition, participants expressed interest in learning from the experiences of others and in being exposed to more practical activities on combating trafficking, protecting victims and engaging in international cooperation.

I. Human rights mechanisms

24. From 26 to 28 August 2014, the Centre organized a regional training workshop on best practice in following up on the recommendations of the Working Group on the Universal Periodic Review, aimed at identifying best practice in the region and challenges. It was attended by some 25 participants from nine countries that were considered by the Working Group from 2012 to 2014: Bahrain, Egypt, Jordan, Iraq, Morocco, Tunisia, Qatar, United Arab Emirates and Yemen. The event was organized in collaboration with the Arab Organization for Human Rights, which provided logistical support. Five of its members also attended.

25. From 20 to 26 September 2014, the Centre supported the OHCHR Regional Office for the Middle East in carrying out a training course on the universal periodic review process. Two workshops held in Oman targeted, among others, staff members of the National Human Rights Commission of Oman and civil society organizations in that country and were focused on the role of national human rights institutions.

26. In 2014, the Centre launched an annual publication (available online and in hard copy) compiling the general comments of the human rights treaty bodies. The first edition, in 2014, was dedicated to the general comments of the Human Rights Committee. The second, completed in June 2015, is dedicated to the Committee on Economic Social and Cultural Rights. The third, to be published in 2016, will be dedicated to the Committee against Torture.

J. Economic, social and cultural rights

27. From 8 to 11 December 2014, the Centre organized the first phase of its train-the-trainers programme on economic, social and cultural rights, which was focused on providing participants with a better understanding of those rights and on monitoring them. The training was attended by 15 participants, including 6 women, from Algeria, Egypt, Jordan, Libya, Mauritania, Morocco, the State of Palestine, the Sudan, Tunisia and Yemen. As a positive outcome of the training, a female judge from Libya prepared an analytical study on economic, social and cultural rights for the proposed draft of the Libyan constitution and submitted it to the Libyan Constitutional Assembly.

28. The second phase of the programme is scheduled to be held in October 2015 in Algeria, in cooperation with the National Advisory Commission for the Promotion and Protection of Human Rights, and will be focused on enhancing the skills of the participants in documenting cases of violations of economic, social and cultural rights and in developing an advocacy strategy as part of international human rights mechanisms.

K. Human rights defenders

29. On 26 and 27 January 2015, the Centre held a regional forum on an enabling and secure environment for human rights defenders in the Middle East and North Africa, held in Tunis. It was organized in cooperation with the United Nations Information Centre in Cairo and attended by 59 participants, including defenders and journalists. It was divided into three parts: international legal standards for the protection of defenders; trends of repression against defenders in the region; and how to enhance accountability and provide a safe and enabling environment for defenders. The participants adopted key recommendations, including the creation by the participants of an advocacy and solidarity network of defenders in the region and the further strengthening of the capacity of defenders in relation to monitoring and documenting human rights violations. On the basis of the latter, the Centre will concentrate on developing its training programmes in that field, with the 2015 edition to be focused on strengthening the capacity of women defenders in the region.

L. Other thematic activities

30. From 23 to 25 September 2014, the Centre organized a regional training workshop on the role of national human rights institutions in protecting the rights of persons deprived of their liberty, in cooperation with Penal Reform International. The aim of the workshop, held in Amman, was to strengthen the skills of those

institutions in monitoring the implementation of the recommendations of international human rights mechanisms in relation to the rights of persons deprived of their liberty. The workshop was attended by 20 participants from Algeria, Egypt, Iraq, Jordan, Kuwait, Libya, Morocco, Qatar, the State of Palestine, the Sudan, Tunisia and Yemen. They made several recommendations, including enhancing the skills of national human rights institutions in conducting gender-sensitive monitoring of places of detention for women and strengthening knowledge of the Bangkok Rules. On that basis, the Centre organized a training workshop focusing on women in detention (see para. 16 above).

31. On 11 and 12 November 2014, in Doha, the Centre held a training workshop on business and human rights and migration, in cooperation with the Department of Human Rights of the Ministry of Foreign Affairs. It was focused on the duties and responsibilities of the State and corporations, the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework and access to remedies. Participants discussed the international human, migration and labour rights framework and the human rights challenges faced by migrants in Qatar. The workshop was attended by representatives of the Government, national human rights institutions, private businesses and foundations.

32. On 14 April 2015, as part of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Qatar, the Centre held a panel discussion on the theme "Moving away from the death penalty: the death penalty and drug-related offences", in cooperation with the OHCHR New York Office. Its objective was:

- (a) To examine the human rights dimensions of the application of the death penalty in cases of drug-related offences;
- (b) To share experiences from regions in which States invoke the death penalty when confronted with public concerns over drug trafficking and public safety;
- (c) To discuss crime prevention strategies so as to reduce fear of crime, including human rights education regarding long-term solutions that could more effectively tackle crime and its root causes;
- (d) To maintain and build momentum on the issue in preparation for the resolution on the moratorium on the use of the death penalty, to be adopted by the General Assembly in 2016.

33. The Centre translated the OHCHR publication *Moving Away from the Death Penalty: Arguments, Trends and Perspectives* into Arabic and launched it during the panel discussion. The discussion, which was very well attended, resulted in strengthened knowledge about the death penalty in the region.

III. Conclusion

34. **The developments in the region have generated great demand for capacity-building and documentation on the promotion of human rights. With increased resources, the Centre has been empowered to fulfil its training and documentation mandate and to better meet the demands that it has been facing,**

in particular for the development of tailored training material. It has thus been able to reach a larger array of beneficiaries.

35. Through regional consultations with Governments, national human rights institutions, academics, non-governmental organizations and other stakeholders, the Centre has provided a platform for discussion and to exchange experience and expertise on a wide range of issues, including the protection of the right to education during conflict and of the rights of minorities.

36. The continued support of the General Assembly has been instrumental in allowing the Centre to continue to discharge its mandate and contribute effectively to strengthening regional and national capacity relating to human rights.

37. During the reporting period, the Centre continued to provide needed support to Governments, national human rights institutions, regional organizations and civil society actors, as well as United Nations entities, with a view to improving the promotion and protection of human rights at the regional and national levels. The Centre will maintain its direct, sustainable and effective assistance and cooperation with regional and national counterparts, in particular amid increasing demand for capacity-building and technical cooperation. In addition to strengthening current activities, the Centre will increase its focus on strengthening its documentation mandate.

Annex

Geographical representation at training courses and consultations conducted by the Centre^a

	Number of times that key consultations and training courses were conducted in the country			Number of times that countries' nationalities were represented at key consultations and training courses		
	2013	2014	2015 ^b	2013	2014	2015 ^b
Afghanistan	—	—	—	—	—	—
Algeria	—	—	—	2	7	1
Bahrain	—	—	—	—	5	2
Comoros	—	—	—	—	—	—
Djibouti	—	—	—	1	—	—
Egypt	—	1	1	4	10	3
Iran (Islamic Republic of)	—	—	—	—	—	—
Iraq	—	—	—	2	6	2
Jordan	—	3	1	3	151	5
Kuwait	1	2	—	2	5	1
Lebanon	—	1	—	—	10	2
Libya	—	—	—	2	4	3
Mauritania	—	—	—	2	3	—
Morocco	—	2	1	—	24	13
Oman	—	1	—	2	2	2
Pakistan	—	—	—	—	—	—
Qatar	2	5	—	3	18	—
Saudi Arabia	—	2	1	3	172	43
Somalia	—	—	—	1	—	—
State of Palestine	—	—	—	4	20	4
Sudan	—	1	—	3	6	4
Syrian Arab Republic	—	—	—	—	2	3
Tunisia	—	1	1	2	9	10
United Arab Emirates	—	1	—	2	1	—
Yemen	3	1	—	5	16	2
Total	6	21	5	43	471	100

Note: Participants include, but are not limited to, government officials, law enforcement personnel and representatives of national human rights institutions and civil society actors, including journalists. The table does not reflect the representation of regional organizations.

^a These are key training courses and consultations and should not be taken as an exhaustive representation of activities.

^b Reflects the reporting period (until 30 June 2015). Given that most of the Centre's activities for 2015 will be implemented during the remainder of the year, the total number of participants for 2015 will increase significantly.



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**Human rights questions, including alternative approaches
for improving the effective enjoyment of human rights and
fundamental freedoms**

Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

Report of the Secretary-General*

Summary

The present report is submitted pursuant to General Assembly resolution 69/174 and includes information on steps taken by States to combat intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief, as set forth in that resolution.

* The present report was submitted late to the conference services without the explanation required under paragraph 8 of General Assembly resolution 53/208 B, by which the Assembly decided that, if a report is submitted late, the reason should be included in a footnote to the document.



I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 69/174, in which the Assembly requested the Secretary-General to submit to it at its seventieth session a report that includes information provided by the United Nations High Commissioner for Human Rights on steps taken by States to combat intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief, as set forth in the resolution.

II. Information received from Member States

A. Albania

2. Albania referred to legislation aimed at countering incitement to violence based on religion or belief. Serious threats to cause death or serious injury to someone through computer systems, due to their ethnicity, nationality, race or religion, are prohibited under article 84 (a) of the Penal Code and punishable by fine or up to three years of imprisonment. Article 265 of the Penal Code provides that inciting hate or disputes on the grounds of race, ethnicity, religion or sexual orientation, as well as the intentional preparation or dissemination of writings with such content, or their preservation for the purpose of distributing them, by any means or forms, shall be punishable by 2 to 10 years of imprisonment. Article 119 (b) prohibits intentional insults based on racist or xenophobic motives through computer systems.

3. The law on protection from discrimination, which entered into force on 13 March 2010, is a legislative measure aimed to ensure that public functionaries, in the conduct of their public duties, do not discriminate against individuals on the basis of their religion or belief, among other grounds. To ensure a more effective protection from discrimination, the law provides for the establishment of the Office of the Commissioner for Protection from Discrimination as a public independent institution, responsible for providing effective protection from discrimination and any form of conduct that encourages discrimination (art. 21, para. 1). The Commissioner exercises his or her powers pursuant to the Constitution and other legal acts in force. According to the law, any person or group of persons who claims to be the victim of discrimination as defined by the law may file a lawsuit with the competent court or, depending on the case, a complaint with the organs competent for criminal prosecution.

4. Albania outlined three cases of discrimination based on religion or belief in the fields of education and employment (in relation to the wearing of religious symbols in public institutions), and one case of hate speech (a newspaper article encouraging, distributing or promoting hatred) that the Commissioner had found to be a case of discrimination based on religion or belief.

5. Albania also reported that, during the first quarter of 2015, the State police had conducted training on the topic of criminal offences inciting hatred or disputes on the basis of race, ethnicity, religion or sexual orientation.

B. Argentina

6. Argentina implements international human rights standards strengthening the rights of religious minorities through public policies established by two special national entities: the Ministry for Foreign Affairs, International Trade and Worship, and the National Institute against Discrimination, Xenophobia and Racism of the Ministry of Justice and Human Rights. The Ministry for Foreign Affairs, International Trade and Worship is in charge of ensuring the rights of religious minorities, maintains the official link between the national Government and any religious organization on the Argentine territory, and administers the National Registry of Religions for the promotion and protection of those confessional communities.

7. The document entitled "Towards a national plan against discrimination in Argentina: analysis and proposals" is based on the Durban Declaration and Programme of Action. It has been approved and was elaborated on the basis of extensive national consultations. Articles 18 and 27 of the International Covenant on Civil and Political Rights, which provide for the right to profess and practise one's faith, are the framework in which State agencies in Argentina implement policies and programmes to safeguard religious diversity.

8. The National Institute against Discrimination, Xenophobia and Racism is mandated to follow and propose various initiatives to pursue this goal. It also considers complaints by individuals and members of civil society on various types of discrimination, including anti-Semitism and islamophobia.

9. The National Institute inaugurated the Programme on Religious Diversity and Beliefs and the Forum for Religious Diversity and Beliefs. The main objective of the Forum is to safeguard diversity and ensure non-discrimination from a human rights perspective, and to address issues relevant to religious communities. A series of awareness-raising materials are being developed to promote dialogue and to sensitize the public to the right to freedom of expression and belief. Since its creation, in December 2011, the Centre for Research, Development and Training on Cultural, Religious and Ethnic Diversity, comprised of eight organizations (Asociación Cultural Armenia, Centro Islámico de la República Argentina, Delegación de Asociaciones Israelitas Argentinas, Instituto Superior de Control de la Gestión Pública, Secretaría de Cultos de la Nación, Sindicatura General de la Nación, National Institute against Discrimination, Xenophobia and Racism, and Universidad Nacional de Lanús), promotes research and development work aimed at achieving the intercultural coexistence of various religious and cultural communities. The Centre has conducted training sessions, seminars and other activities aimed at promoting cultural diversity.

C. Azerbaijan

10. The State Committee on Religious Associations of Azerbaijan systematically carries out public awareness activities to maintain the stability of the religious situation in the country, to diffuse the possibility of the formation of radical religious groups that could lead to cases of anti-Semitism, to prevent harmful propaganda from non-traditional religions and cults, and to maintain an environment of tolerance in the country.

11. Azerbaijan reported that norms and legislation prohibiting the creation of national, racial and religious hostility with punitive sanctions are reflected in the Criminal Code of Azerbaijan, and the Law on Freedom of Religious Belief, which has been amended 15 times in the past 20 years. Those amendments were necessitated by the constant development of society and the need to bring the Law into conformity with modern requirements, eliminating legal gaps which could have paved the way for religious discrimination, religious intolerance and incitement to violence based on religion.

12. The State Committee on Religious Associations is also mandated with preventing the import of literature promoting religious extremism and non-humanist ideas, radicalism, xenophobia, all forms of discrimination and interreligious conflict. The Committee implements those measures and organizes, together with different State bodies and with the participation of religious centres, communities and representatives of different sections of society, activities aimed at the general public. It has held dozens of training seminars with urban and regional executive authorities on the topics of the position and role of religions in the struggle against terrorism and violence, religion and human rights, the modern society of Azerbaijan and religious problems, and non-traditional religions and cults. Public awareness activities have been carried out with local authorities, including in the prisons of Baku, and activities organized with the Ministry of Justice have been conducted in secondary and general education schools. The Committee has also organized events with the Office of the Ombudsman and the President's Council.

13. The Committee cooperates with international entities that fight intolerance based on national, racial and religious grounds and the prevention of negative acts stemming from such intolerance in order to share successful working methods and experiences. Azerbaijan supports interreligious dialogue and the promotion of exemplary experiences in the international arena. It hosted, for example, the World Summit of Religious Leaders, held in Baku in April 2010, organized the Baku forum on "State and religion: strengthening tolerance in a changing world", in 2012, and chaired the meeting of the Committee of Ministers of the Council of Europe on "Exchange on the religious dimension of intercultural dialogue", held in Baku in 2014.

D. Costa Rica

14. The Department of Religious Education of the Ministry of Education of Costa Rica reported on concrete actions and programmes to address intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons based on religion or belief.

15. The programmes are being developed with the participation and contribution of various denominations present in the country. To that end, a number of trainings have been conducted since 2010 to contribute to the development of teachers in their pedagogical approach, in such areas as inclusive techniques applicable to pedagogical methods used in religious education programmes. The programmes encourage the holding of small workshops on the Muslim religion, for example, during which a visit to a mosque takes place, or on carrying out pedagogical mediation strategies on the use of the Bible in religious education. Meetings with the Jewish community are also held, during which a visit of a synagogue is organized and a small workshop organized. The Department of Religious Education

works with teachers and religious educators throughout the country to ensure that their pedagogical approach to the curriculum does not exclude any student.

E. Egypt

16. Article 53 of the Constitution of Egypt of 2014 establishes an independent commission in charge of making decisions and taking the measures necessary for eliminating all forms of discrimination. The article also provides for the penalization of discrimination and incitement to hatred as a crime punishable by law, and confirms the equality of all citizens.

17. The Supreme Constitutional Court and many judicial decisions have in the past prohibited discrimination against citizens based on gender, origin, language, religion, creed, social status, political views, disability or belief.

18. Egypt reported that its National Council for Human Rights held a workshop on 25 November 2014 on a draft law on equal opportunities, non-discrimination and the establishment of a commission in the light of article 53 of the Constitution. During the workshop, the initial draft amending Decree Law No. 126 of 2011 by adding article 161 bis, to define the crime of discrimination against citizens and identify its negative manifestations and related sanctions, was presented for discussion and review, and recommendations were issued.

19. Participants in the workshop defined discrimination as any act or omission by a person, corporate or private, or employer, that deprives or aims to deprive a person of an advantage (right) provided by law and causes harm by reason of that person's religion or belief, sex, race, social or economic status, disability or of other grounds defined by law. They recommended possible sanctions, in the event of discrimination by public officials and private legal persons or employers.

20. The need to ensure non-discrimination in education, careers, promotion and training was also addressed. The Council was urged to continue consultations on the draft law, taking into account proposals from the National Council for Women, the National Council for Childhood and Motherhood, and the National Council for People with Disabilities, as well as suggestions from civil society organizations.

21. The participants in the workshop noted the need for clear and effective mechanisms for the enforcement of anti-discrimination laws on the ground, including the new draft law, and recommended that an office for equality and anti-discrimination be established.

22. A review of religious thoughts, cultural discourse and the educational curriculum that call for or contain concepts promoting discrimination on the grounds of sex, origin, religion and belief, social status, political affiliation or disability of all kinds was also recommended.

F. Georgia

23. Article 14 of the Constitution of Georgia guarantees the equality of all citizens. Article 38 establishes equality among the citizens of Georgia in their social, economic, cultural and political life, irrespective of their nationality, ethnicity, religion or language. In accordance with universally recognized principles

and rules of international law, they shall have the right to develop their culture freely, without any discrimination or interference, and to use their native language in private and in public.

24. Discrimination is defined as a criminal offence in article 142 of the Criminal Code of Georgia. The prohibition of discrimination includes acts of racial discrimination, that is any act committed for the purpose of instigating animosity or conflict on ethnic or racial grounds, as well as direct or indirect limitation of human rights based on race, skin, colour, social origin or national or ethnic identity, or to favour any individual on those grounds. Such crimes are punishable by up to three years of imprisonment. Similar acts committed through the use of force, by threatening to use force, by threatening the life or health of individuals or by using one's official position shall be punishable by up to five years of imprisonment.

25. Amendments to article 53 of the Criminal Code of Georgia adopted on 27 March 2012 strengthened the principle of non-discrimination by introducing a new paragraph stipulating that a motive indicating discrimination shall be considered as an aggravating circumstance for crimes, as defined by the Criminal Code.

26. Discrimination, stigmatization, negative stereotyping and incitement to violence are also banned by a number of other legislative acts as well as soft-law instruments regulating different spheres of public and private life, including marriage (Civil Code, art. 1153); advertising (Law on Advertising, art. 4.8); school admissions and education (Law on General Education, art. 13); higher education (Law on Higher Education, art. 4.3); labour (New Labour Code of 2010, art. 2.3); health (Law on the Protection of Health, art. 6); and the newly amended article 11 of the Law on Assembly and Manifestations.

27. Article 56.3 of the Law on Broadcasting proscribes holders of broadcasting licences from broadcasting programmes containing material that incites hatred or discrimination offensive to any person or group based on ethnic background, religion, opinion, age, gender, sexual preference or disability, or any other feature or status; and the Elections Code of Georgia, in its article 45.3, prohibits the instigation of national, ethnic or religious hatred or conflict during pre-election campaigns.

28. On 2 May 2014, the Law on the Elimination of All Forms of Discrimination was adopted by Parliament.

29. The Law distinguishes between direct and indirect discrimination and introduces the concept of multiple discrimination, which is discrimination based on a combination of two or more characteristics. It provides for the prohibition of any form of discrimination, be it direct, indirect or multiple. Simultaneously, it stipulates that special and provisional measures aimed at encouraging equality, particularly in gender issues, shall not be considered as discriminatory. Discrimination, according to the Law, shall be prohibited in both the public and private spheres. The Law also obliges all institutions within the jurisdiction of Georgia to take concrete measures to eliminate discrimination and provides for individual redress through an independent body, the Public Defender of Georgia. This body also prepares and publishes an annual report on combating and preventing discrimination, as well as on the status of equality in the country.

G. Honduras

30. Honduras reported that, in 2013, its Congress amended section 321 of the Penal Code, which refers to protection against discrimination when an offence is committed with hatred or contempt because of the sex, gender, religion, national origin, association with indigenous people and Afro-Hondurans, sexual orientation or gender identity, age, marital status, disability, ideology or political opinion of the victim.

31. Honduras indicated that religious expressions are part of the cultural events of every people and nation and are supported through festivals, fairs and carnivals where every ethnic group is well represented and given media coverage. For example, African Heritage Month is celebrated annually to commemorate the contribution that black communities have made to Honduran society throughout their historical presence, thus spreading the customs, cuisine, dance, religion and other expressions of Afro-Hondurans in the country.

32. Similarly, the Indian Craft Training Centre emerged as part of the State's public social policy as an initiative to promote the technical skills of indigenous peoples in the western part of the country. The Executive Directorate of Culture and Arts protects the indigenous heritage by means of vocational education focused on young people, thereby allowing them to preserve their customs and traditions (religious, artistic and cultural).

33. The General Law for the Promotion of Culture provides a broad platform for enhancing the relationship between human development and the improvement of the quality of life of people. It is aimed at developing the educational system as well as the implementation of national, regional and municipal development plans, by promoting the inclusion and participation of the various ethnic communities, regardless of language or religion, thus bridging the gap between different social and ethnic classes.

34. Honduras reported that the opening of schools for indigenous peoples and people of African descent has been approved, respecting religious beliefs and cultural expressions; and teachers who are members of the Seventh-Day Adventist Church are being authorized to observe Saturdays as a religious day by extending the school day from Monday to Friday in compensation. Efforts towards students who are Jehovah's Witnesses are also being made.

H. Jordan

35. The Constitution of 1952 provides for equality and non-discrimination on the grounds of race, language or religion, and article 16 stipulates that all Jordanians are equal before the law, without discrimination, and that they have the same rights and obligations, regardless of race, religion and language. The profession of religion and belief is guaranteed and article 14 stipulates that the State defends and protects the profession of religion and belief in conformity with the traditions of Jordan, as long as they are not contrary to the general order and morality. Moreover, rights are granted for special religious tribunals (the Council of Sharia and the tribunal for non-Muslim religions, as provided for in arts. 4, 105, 108 and 109 of the Constitution).

36. Law No. 16 of 2012 on Political Parties prohibits the constitution of a party based on religion, confession, grouping or sector, or discrimination based on gender or origin. The Law on Elections to Parliament provides for the right to vote to all Jordanians, regardless of religion or belief, and also provides in its article 32. (4) that speeches, declarations, announcements and media campaigns for electoral purposes may not cause prejudice to any candidate or other person directly or indirectly, or provoke religious, tribal, regional or racial tension. Jordan added that different religions have "legal personality", in conformity with article 50. (2) of Civil Law No. 43 of 1976. Civil Service Bylaw No. 82 of 2013 provides that public officials are subject to disciplinary measures for actions or practices reflecting bias, lack of objectivity and discrimination based on race, sex, religion or belief, or if they prejudice the political or religious opinions of the public or incite discrimination on such grounds.

37. It also reported that article 8 of Labour Law No. 8 of 1969 guarantees official holidays for religious occasions.

38. Jordan noted further that Criminal Law No. 19 of 1960 criminalizes religious offences, offences against those who profess religion and insults against the prophets of religions. A regime of sanctions of imprisonment and fines is applied to anyone who publishes in writing, pictures, depictions or slogans, or says something in public offending the religious feelings or belief of others (art. 278); intentionally bothers, interrupts or mocks those assembled within the limits of the law to profess their religion, or attacks a person in that context, without legitimate justification (art. 276); or vandalizes, destroys or desecrates burial grounds, offends those assembled for burial or destroys or desecrates places of worship or sacred places (arts. 275 and 277). A person proven to have insulted the prophets in public is liable to a term of imprisonment of one to three years (art. 273).

39. Jordan reported that any violence against persons based on race, colour, national origin or confession is considered a crime and sanctioned by Jordanian legislation. Article 150 of Criminal Law No. 16 of 1960 provides that any writing, speech, act intended to or which may provoke racial or confessional tension or incite violence between confessions or different components of the nation is punishable by a prison term of six months to three years and fines. Jordan indicated that incitement to hatred and violence, terror and racial and religious divisiveness, defamation, offence and insults are regulated in publications and journalism (arts. 7 (d) and 38 of the Law on Publications No. 8 of 1988), media, broadcasting and advertising (Law No. 71 of 2002 on Audiovisual Media and Law No. 47 of 2007, art. 6 (a)).

40. Jordan recalled the publication of the "Amman Letter" by the King of Jordan on 9 September 2004, in which the King indicated among other principles that everyone deserved dignity, regardless of colour, race and religion, and confirmed the precepts of justice in Islam concerning the treatment of others, moderation, and tolerance. Jordan also recalled the initiation by the King of the international World Interfaith Harmony Week, subsequently adopted by the General Assembly on 20 October 2010. The King of Jordan presented awards to three international recipients in honour of that Week for promoting mutual understanding and dialogue and an international culture of peace and cohesion between religions, on 20 April 2015. Jordan also highlighted the initiative entitled "Common Word", under the auspices of the Royal House of Islamic Thinking, which promotes the value of

dialogue and understanding, tolerance and mutual respect between Muslims and Christians through a common word and common ground (www.acommonword.com).

I. Kyrgyzstan

41. The Government of Kyrgyzstan stated that the State-confession relations are regulated by the Constitution, the Law on Freedom of Conscience and Religious Organizations in the Kyrgyz Republic, and other international and national legislative acts.

42. In November 2014, the Concept of Public Policy in the Sphere of Religion in the Kyrgyz Republic (2014-2020) was approved by presidential decree. One of the objectives of the Concept Policy is to create tolerance and interconfessional esteem. The working group drafting the Concept Policy consisted of representatives of the Muslim community (the Spiritual Board of Muslims of Kyrgyzstan), the Christian community (the Russian Orthodox Church), Evangelical Christian Baptists, religious scholars, theologians and public officials. It is stated in the Concept Policy that religious communities in the country carry out their activities in accordance with the law of Kyrgyzstan and that the State ensures equal treatment to all confessions. State and religious organizations cooperate in the social, cultural, educational, philanthropic and economic spheres, as well as on such issues as public security and the prevention of extremism.

43. During 2014 and 2015, the State Agency for Religious Affairs organized more than 30 events dedicated to human rights and the rule of law issues, aimed at strengthening interreligious understanding and respect for religions and religious values.

44. Kyrgyzstan reported that, in accordance with its Constitution, articles 7, 16, 20 and 32, religion and all faiths shall be separated from the State. No one may be discriminated against on the basis of sex, race, language, invalidity, ethnicity, religion, age, political or other opinion, education, origin, national or social status or any other similar criteria. Everyone is granted the right to freedom of conscience and religion, freedom of practice of faith and religion, freedom to have a religion or not, and freedom to abandon or change religion. The Constitution prohibits propaganda promoting national, racial or religious hatred, and concepts of social or gender superiority inciting discrimination, hatred and violence.

J. Paraguay

45. Paraguay stated that article 24 of its Constitution guarantees religious and ideological freedom.

46. The Vice-Ministry of Worship, under the Ministry of Education and Culture, established in accordance with General Law of Education No. 1264/08, article 24 of the Constitution and the organizational structure of the Ministry of Education and Culture, is designated as the official registrar of churches and religious and philosophical entities in the country, and carries out a series of activities to promote respect among those.

47. The Permanent Forum of Interreligious Dialogue of Paraguay, created by ministerial resolution 28561/11, is aimed at interreligious cooperation and promotes

the diversity of belief, dogma and philosophies that exist in the country. It organizes periodic meetings, as well as national and international conferences, seminars, expert meetings and consultative forums, with the participation and involvement of religious and philosophical communities and the educational community in general.

48. Paraguay reported that the Directorate of Curriculum of the Ministry of Education has worked on the issue of non-discrimination in the national curriculum, at all levels (i.e. in initial education, basic education, secondary education and youth and adult education). The Directorate undertakes substantive knowledge analysis, interpretation and evaluation of content related to non-discrimination and has been developing topics for projects that allow citizens to embody that value in their daily lives.

K. Russian Federation

49. The Russian Federation stated that the right to freedom of conscience and freedom of religion, including the right to profess, individually or with others, any religion or no religion, to freely choose, possess or disseminate religions or beliefs and to act in conformity with them, are guaranteed by the Constitution. Propaganda and agitation, inciting social, racial, national and religious hatred and hostility are impermissible. Propaganda promoting exclusivity, superiority or inferiority of an individual on the grounds of social, racial, national, religious or linguistic affiliations is prohibited.

50. The legislation of the Russian Federation provides for the application of a wide spectrum of criminal and administrative measures and responsibilities for acts of extremism. Article 5.62 of the Code of Administrative Offences is one of the main tools for protecting citizens from discrimination based on religious and national grounds. The Criminal Code establishes criminal liability for different types of discrimination, such as the violation of rights, freedoms and legitimate interests of an individual on the grounds of sex, race, nationality, language, ethnicity, religion, beliefs, financial or official status, membership of public associations or any social groups, if such acts were committed by a person through his or her official position (art. 136), and the illegal obstruction of the activities of religious organizations or of the performance of religious rites (art. 148). Discrimination based on religion or belief is considered as a form of extremist activity in the Russian Federation.

51. The Russian Criminal Code has been amended to fight violence committed on racial, national and religious grounds (Federal Law No. 211-FL of 24 July 2007 on Amendments to Certain Legislative Acts of the Russian Federation in Connection with the Improvement of State Administration in the Area of Countering Extremism, as amended on 22 February 2014).

52. The Russian Federation noted the increase of Internet and social networks usage by terrorist groups for extremist propaganda. Since February 2014, according to the Federal Law No. 149-FL, article 15.3, of 27 July 2006 on Information, Information Technologies and Information Protection, as amended on 24 November 2014, at the request of the General Prosecutor of the Russian Federation, access to Internet sources containing appeals for unrest and other extremist information has been limited. The Federal Service for Supervision in the Sphere of Telecommunications, Information Technologies and Mass Communications may block access to Internet sources.

53. The Federal Agency for Nationality Affairs was created pursuant to presidential decree No. 168 of 31 March 2015. The Agency is in charge of developing and implementing the State national policy, strengthening the unity of the multinational people of the Russian Federation, and protecting the rights of national minorities and the indigenous peoples of Russia. The Agency is authorized to take actions to prevent any form of discrimination on racial, national, religious or linguistic grounds, as well as any act intended to incite hatred, enmity or hostility.

L. Serbia

54. Serbia reported that the Office for Human and Minority Rights coordinated the process of drafting the Strategy of Prevention and Protection from Discrimination, adopted in June 2013. The process was initiated by the Commissioner for the Protection of Equality, at the initiative of civil society organizations, and carried out with broad participation. The Strategy focuses on the promotion of the situation of nine vulnerable groups in Serbia (ethnic minorities, religious communities and groups, women, lesbian, gay, bisexual and transgender people, people with disabilities, the elderly, children, refugees, and internally displaced persons and migrant groups), as well as persons whose health status may be grounds for discrimination. Serbia noted that those social groups are particularly vulnerable to the negative aspects of globalization, particularly poverty.

55. Serbia noted that an action plan for the implementation of the Strategy for the period from 2014 to 2018, adopted in October 2014, defined the anti-discriminatory policy of the Government. Carrying out the action plan and implementing the envisaged measures shall contribute to progress with regard to respecting and promoting human rights, fostering tolerance in society, accepting diversity, respecting the principle of equality and conflict prevention, with the aim to reduce the overall level of discrimination in Serbia. The action plan covers general areas, such as public administration and non-discrimination, the police, security and the judiciary, and specific areas, such as education and professional training; labour and employment; marriage, family relationships and inheritance; health care, health and social protection and housing; youth, sport, culture and media; and regional development and local self-government. A mechanism for monitoring the implementation of the action plan is currently being developed (<http://socijalnoukljucivanje.gov.rs/rs/category/dokumenta/>).

56. The Monitoring Framework for Inclusive Education in Serbia created in September 2014 defines a methodological framework for monitoring the quality of inclusive education, giving an insight into the current state of inclusive education, and proposes mechanisms for its correction and promotion.

M. Singapore

57. Singapore stated that, in application of the principles of meritocracy, secularism and multiracialism, the framework for the maintenance of social cohesion includes article 12 of the Constitution, which states that there shall be no discrimination against citizens of Singapore based on religion, race, descent or the place of birth. There are also legislative safeguards, which, through the legislative

process, ensure that no ethnic or religious community in Singapore is allowed to infringe on the rights of other communities.

58. The Presidential Council for Minority Rights, established in 1973, scrutinizes legislation passed by Parliament to ensure that bills do not provide grounds for discrimination against any ethnic or religious community. The Maintenance of Religious Harmony Act, which came into force in 1992, is aimed at maintaining religious harmony and ensuring that religion is not exploited for any political or subversive purpose in Singapore.

59. Singapore added that, under section 4 (1) of the Sedition Act (chap. 290), it is an offence to commit, attempt to commit, make any preparation to commit, or conspire with any person to commit any act that has a seditious tendency, including the tendency to promote feelings of ill will and hostility among different races.

60. The ethnic integration policy guides the population of each ethnic group in every public housing estate so as to mirror the ethnic composition of the national population. This policy prevents the formation of ethnic enclaves, so that residents have the opportunity to befriend fellow Singaporeans in daily life. The national service, or the compulsory military service for all Singaporean men at the age of 18, creates many opportunities for young men of different races and religions to interact, bond and work together and therefore to foster strong relationships and trust.

61. Article 152 of the Constitution states that it is the responsibility of the Government to care for interests of racial and religious minorities in Singapore, and the Government uses existing mechanisms to consult those minorities on policies that might affect them.

62. Singapore added that the Community Engagement Programme was introduced in February 2006 to build closer ties across groups. It creates a community response framework in which community leaders can be mobilized to help to maintain social and psychological resilience in the aftermath of a crisis with racial or religious overtones. Under the Programme, the National Steering Committee on Racial and Religious Harmony provides a national platform for ethnic, religious, community and government leaders to engage with one another, to build networks of trust and to formulate strategies to strengthen community interactions.

63. There is also a Harmony Fund, established in 2013, to raise awareness of the importance of racial and religious tolerance and understanding, promote appreciation of different cultural practices, deepen interaction among different racial or religious groups and reduce negative stereotypes or misconceptions about other communities. The Fund encourages grass-roots initiatives and has supported major events that foster interfaith and interracial harmony, such as the annual Harmony Games.

N. Trinidad and Tobago

64. Trinidad and Tobago reported that section 4 of its Constitution of 1976 guarantees fundamental rights and freedoms to be protected and enjoyed without discrimination by reason of race, origin, colour, religion or sex. Section 14 of the Constitution states that, where any person alleges that such rights have been, are being or are likely to be contravened in relation to him or her, that person may apply to the High Court for redress.

65. The Equal Opportunity Act of 2000 seeks to protect persons against discrimination in relation to employment, education and the provision of goods, services and accommodation. Under the Act, citizens are entitled to equality and fair treatment, regardless of their status (i.e. their sex, race, ethnicity, origin, religion, marital status or any disability). Section 26 of the Act establishes the Equal Opportunity Commission, which seeks to promote equality of opportunity and good relations among persons of different status generally, and receives and investigates allegations of discrimination, facilitating as far as possible, conciliation between the parties concerned.

66. Section 3 of the Malicious Damage Act of 1925 states that any person who unlawfully and maliciously sets fire to any church, chapel, meeting house or other place of divine worship is liable to imprisonment for life. Sections 96 and 96 A of the Summary Offences Act of 1921 make it an offence to disturb places of worship, including disturbing or abusing a religious head or official celebrating a religious rite. In addition, any person who brings into contempt or disbelief or who attacks, ridicules or vilifies another person's religion in a manner that is likely to provoke a breach of the peace commits an offence and is liable on summary conviction to a fine of one thousand Singapore dollars.

67. In relation to admissions to public schools, the Education Act of 1996 prohibits discrimination on the ground of religion. Section 7 of the Act states that no person shall be refused admission to any public school on account of the religious persuasion, race, social status or language of that person or of that person's parents.

68. The purpose of the Sedition Act of 1920 is to eliminate the possibility of any action that inflicts harm or discomfort to an identifiable group. It aims to prevent the incitement to violence against a target group (including a religious group) based on discrimination. Penalties for offences under that Act include fines and imprisonment upon indictment.

69. Trinidad and Tobago reported that community festivals, celebrations at government offices and schools as well as street celebrations take place, and national festivals include the celebration of Christmas, Easter, Diwali, Eid al-Fitr and Spiritual Baptist Liberation Day.

70. Religious instruction is permitted and encouraged in public schools. Time is allocated each week to religious instruction, attendance to which is voluntary, and the religious groups represented are diverse.

O. United Kingdom of Great Britain and Northern Ireland

71. The United Kingdom of Great Britain and Northern Ireland continues its work to tackle hate crime through national actions plans. In 2014, the Government conducted a review of its actions under three core principles: (a) developing the evidence base on hate crime by improving police recording of hate crimes with regard to disability, race, religion or belief, sexual orientation and transgender identity; (b) strengthening its strong legal framework; and (c) investing direct funding support to professionals at the frontline, to voluntary sector organizations and to victims of hate crime.

72. The Government is working on facilitating reporting on hate crime online, through its hate crime web facility, named True Vision, which receives approximately

10,000 visits a month and received 3,641 reports in 2013-14. Public communications are used with the aim of reassuring the public that perpetrators of hate crimes will be punished with the full force of the law.

73. The United Kingdom stated that one challenge that has continued to evolve is the task of removing hate material from mass media channels, such as the Internet, while protecting freedom of expression. The Government is working with the police and the Hate Crime Independent Advisory Group to build relationships with leading social media providers and to improve their response to offensive and illegal hate-related content available online, including through support to the international Working Group of the Inter-Parliamentary Coalition for Combating Anti-Semitism. This Group has brought leading social media companies together with politicians, civil society representatives, academics and subject experts to find collaborative solutions to reduce the harm caused by hate propaganda on the Internet by placing the companies at the heart of the solutions and by seeking to work within the diverse global legislative frameworks. The Government is also working more closely internally to ensure linkages between policy and operational areas where there are cross-cutting issues relating to online crime, for example by establishing links with online extremism.

74. The Director for Public Prosecutions has also published guidelines for prosecuting cases involving social media communications, including hate crimes. These guidelines provide clarity to prosecutors and the police on the criminal thresholds for prosecutions.

75. The United Kingdom reported that police forces across the country continue to work closely with Muslim communities and organizations to provide reassurance, security measures and safety advice. In some areas, 24-hour police patrols have been put in place to safeguard high-profile premises.

76. The Cross-Government Working Group on Anti-Muslim Hatred has extended its relationship with international organizations to work on a definition of anti-Muslim hatred and Islamophobia, and ways of addressing hatred on the Internet. The Community Security Trust, a Jewish organization with extensive experience in reporting anti-Semitic hate crime, has continued to assist the charity Faith Matters and its "Tell MAMA" reporting programme in further developing its data collection system.

77. A number of projects have taken place or are under way, including: (a) Tell MAMA, the first third-party reporting service to record incidents and support victims of anti-Muslim hatred; (b) the hosting of Srebrenica Memorial Day; and (c) social media workshops supported by the Department for Communities and Local Government aimed at countering hatred online.

78. The United Kingdom also reported that it continued to strongly support work in international organizations to combat anti-Semitism. The Cross-Government Working Group on Anti-Semitism continued to provide important opportunities for joint long-term efforts between the Government and the Jewish community to discuss and tackle anti-Semitism.

79. The United Kingdom plays a leading role in the activities of the Organization for Security and Cooperation in Europe in relation to the Berlin Declaration to combat hate crime, including anti-Semitic hate crime, and was represented at ministerial level at the event held in November 2014 to mark the tenth anniversary

of the Berlin Declaration. It also actively participates in the European Commission against Racism and Intolerance.

80. Recognizing the importance of providing guidance to law enforcement agencies on how to deal with anti-Semitic incidents, the College of Policing of the United Kingdom recently published a new manual on hate crime.

81. The United Kingdom chaired the International Holocaust Remembrance Alliance between February 2014 and March 2015, during which it hosted a week-long series of meetings in London, and then again in Manchester. It has worked to ensure that the Alliance's Committee on Anti-Semitism and Holocaust Denial, in which non-governmental organizations from the United Kingdom play a key role, meet regularly. The United Kingdom was one of the first countries to submit a report under the Alliance's new country reporting system.

P. United States of America

82. The United States of America reported that the first amendment to its Constitution provides that Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech. This amendment is made applicable to state and local governments by the fourteenth amendment to the Constitution. Freedom of thought and conscience is protected by the guarantee of freedom of speech and opinion. Federal government action that substantially burdens religious exercise may be invalidated by the judiciary unless the action is the least restrictive means of furthering a compelling governmental interest (www.justice.gov).

83. Federal law prohibits discrimination based on religion in education, employment, housing, public accommodations and access to public facilities (Civil Rights Act of 1964). The Civil Rights Division of the Department of Justice enforces those statutes and has established a position of Special Counsel for Religious Discrimination to coordinate cases involving religion-based discrimination among the various sections of the Division and to oversee outreach efforts to religious communities. Citizens who believe that their rights to religious freedom have been violated or that they have been discriminated against on the basis of their religion may contact the Civil Rights Division using toll-free numbers. The Division has also actively enforced the land-use provisions of the Religious Land Use and Institutionalized Persons Act, enacted in 2000, which protects houses of worship from discriminatory or unjustifiably burdensome zoning regulation.

84. The Equal Employment Opportunity Commission investigates allegations of religious discrimination in employment and occasionally files lawsuits to protect the rights of those who are harmed. Workers may also file their own lawsuits.

85. The Community Relations Service of the Department of Justice works on engagement with members of diverse communities, encouraging the creation of collaborative networks and creating mechanisms to work with different communities with regard to potential areas of conflict on those issues. The Service is available to state, local, and tribal jurisdictions to help to prevent and resolve racial and ethnic conflict and to employ strategies to prevent and respond to alleged violent hate crimes, and it has developed a set of best practices. With regard to church burnings, the Service has worked directly with hundreds of rural, suburban

and urban governments to help to eliminate racial distrust and polarization, promoted multiracial programmes, conducted race-relations training for community leaders and law enforcement officers, conducted community dialogues, and provided assistance to bring together law enforcement agencies and members of minority neighbourhoods. The Service has also responded to reports of vandalism and arson involving mosques and Sikh gurdwaras, and has brought Arab, Muslim and Sikh students and parents together with local law enforcement, government and school officials to address allegations of discrimination and harassment in schools through cultural professionalism programmes and the Service's programme entitled "Student Problem Identification and Resolution of Issues Together".

86. The Office for Civil Rights and Civil Liberties of the Department of Homeland Security conducts regular community leader round tables in eight cities, youth round tables around the country and trainings for law enforcement personnel and intelligence analysts.

87. With respect to paragraph 9 of resolution 69/174, it is a federal crime to commit arson or vandalism against religious real property, including houses of worship, because of the religious nature of the property.

88. The President and other senior officials have embraced their role in speaking out against intolerance, and there are efforts promoting interfaith dialogue and unity in the United States, which have been effective in response to various incidents of intolerance, providing a demonstration of unity and tolerance in the face of hatred. Civil society leaders, including religious leaders, regularly speak out against intolerance.

89. The United States also engages in international efforts to foster a global dialogue. Since hosting an expert-level meeting on implementing Human Rights Council resolution 16/18 in Washington, D.C., in December 2011, a country-to-country workshop programme has been developed to explore best practices in implementing the resolution in Bosnia and Herzegovina, Greece and Indonesia, and additional programmes are planned.

Q. Uruguay

90. Uruguay reported that articles contained in its Constitution and legislative rules governing those issues, as well as institutional mechanisms, including the Honorary Commission against Racism, Xenophobia and All Other Forms of Discrimination, created by Law No. 17.817 of 6 September 2004, play a key role. The Constitution provides in article 8 that all persons are equal before the law, no other distinctions being recognized among them save those of talent and virtue. With regard to religious matters, article 5 provides that all religious sects are free in Uruguay, that the State does not hold any religion and that states shall exempt from all taxes temples dedicated to religious worship. In Law No. 17.817, the fight against racism, xenophobia and all forms of discrimination is declared of national interest and article 4 states that the aim of the Honorary Commission is to propose national policies and practical measures, including affirmative action rules, to prevent and combat racism, xenophobia and discrimination.

91. The mandate of the Honorary Commission include designing and implementing educational campaigns aimed at the preservation of social, cultural and religious

pluralism, the elimination of racist, xenophobic and discriminatory attitudes and respect for diversity (art. 5. D); receiving and centralizing information on racist, xenophobic and discriminatory behaviour, compiling that information and filing appropriate judicial complaints, as necessary (art. 5. G); providing a comprehensive service and free advice to individuals or groups that feel discriminated against or that they are the victims of racist, xenophobic and discriminatory behaviour (art. 5. I); and informing the public about racist, xenophobic and discriminatory behaviours that may manifest themselves in any area of national life, especially education, health care, social welfare and employment, whether from public authorities or private persons or entities (art. 5. K).

92. Uruguay reported that the Commission also carried out activities such as promoting visits to museums and sites of significance to different religions and sects; organizing talks in schools on the subject; promoting joint activities among people and groups involved in allegations of discriminatory attitudes; and educating and raising awareness on genocides, with the participation of Holocaust survivors and members of the local Armenian community.

93. The month of September has been declared the Month of Religious Tolerance, which gives the opportunity to conduct an awareness campaign and acts in favour of tolerance and respect among different religions, with the involvement of various religious leaders.

III. Conclusions

94. States continue to take steps to implement the action plan outlined in paragraphs 7 and 8 of resolution 69/174, which are primarily policy-oriented or legal in nature. All reporting States have constitutional provisions concerning freedom of religion and belief and have enacted or are in the process of enacting or amending domestic legislation, criminal codes and civil laws in order to protect against discrimination and violence based on religion or belief. Discrimination is prohibited by law in several sectors, such as labour and employment, housing, health care, accommodation and education, and is governed by federal laws and specific legislation providing for legal redress to victims and sanction of offenders, once proven.

95. A number of States are working to address hate crimes at the domestic level. Advocacy of incitement to hatred is for the most part criminalized and often prohibited on several grounds, including those of religion or belief. It was also noted that freedom of expression and opinion was important to counter religious intolerance, including hate speech.

96. Some States are undertaking national and international initiatives to combat incitement to hatred, xenophobia and related intolerance on the Internet, and to address the role of the media in combating hate speech, xenophobia and related intolerance, including on the Internet. The Internet was generally identified as a medium for hate speech and hate crimes. However, it is also being used as a means to combat discrimination on the basis of religion and belief, as it presents a forum for exchange, expression, dialogue, education, knowledge management and information-sharing between and among networks, security officials, governments and communities.

97. States reported that, generally, there is religious freedom and pluralism domestically and that members of religious groups and communities are able to manifest their religion and contribute openly and on an equal footing to society. That religious freedom is often guaranteed by constitutional regimes and law, as long as it is in compliance with domestic law. Several responses noted that extremism and radicalization, often leading to hate crimes and violence, were being addressed through social cohesion and integration programmes, police and security responses, often coupled with regular engagement and interaction with religious leaders, local communities and young people, as well as data gathering and monitoring.

98. Almost all countries provide for one or more channels or some form of communication and consultation among religious groups and communities and the governmental authorities. Numerous practical examples were forwarded about communication bodies or forums between State institutions and religious groups or communities, with regard to policing and security matters, or as general forums of exchange. A number of States are involved in networks comprised of civil society, government officials, police and representatives of religious communities, among others. National institutions, commissions, public defenders, ombudspersons and others, through varying mandates, play important roles in combating intolerance based on religion and belief in various national contexts.

99. Religious intolerance, stigmatization, negative stereotyping and discrimination, in particular, are addressed through public information and media campaigns and through educational measures. States are also funding local and national projects aimed at increasing capacity-building, social cohesion, interfaith dialogue and the participation of religious groups and communities.

100. Some States reported that there were legal protections in place and that they were taking measures and adopting policies to promote the full respect for and protection of places of worship and religious sites, cemeteries and shrines, and that they were taking protective measures in cases where those were vulnerable to vandalism or destruction.

101. The importance of interfaith and intercultural dialogue was underlined in several submissions. Interfaith dialogue is taking place at the local, national and regional levels, and many States support such initiatives financially. States are also actively involved in interfaith and intercultural dialogue at the international level.

**General Assembly**

Distr.: General
9 October 2015

Original: English

Seventieth session
Agenda item 138

Scale of assessments for the apportionment of the expenses of the United Nations**Report of the Fifth Committee**

Rapporteur: Mr. Gert Auväärt (Republic of Estonia)

I. Introduction

1. At its 2nd plenary meeting, on 18 September 2015, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventieth session the item entitled "Scale of assessments for the apportionment of the expenses of the United Nations" and to allocate it to the Fifth Committee.
2. The Fifth Committee considered the item at its 1st and 2nd meetings, on 8 and 9 October 2015. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/70/SR.1 and 2).
3. For its consideration of the item, the Committee had before it the following documents:
 - (a) Report of the Committee on Contributions (A/70/11);
 - (b) Report of the Secretary-General on multi-year payment plans (A/70/69).

II. Consideration of draft resolution A/C.5/70/L.2

4. At its 2nd meeting, on 9 October, the Committee had before it a draft resolution entitled "Scale of assessments for the apportionment of the expenses of the United Nations: requests under Article 19 of the Charter" (A/C.5/70/L.2), submitted by the Chair on the basis of informal consultations coordinated by the representative of Australia.
5. At the same meeting, the Committee adopted draft resolution A/C.5/70/L.2 without a vote (see para. 6).



III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Scale of assessments for the apportionment of the expenses of the United Nations: requests under Article 19 of the Charter

The General Assembly,

Having considered chapter V of the report of the Committee on Contributions on its seventy-fifth session,¹

Reaffirming the obligation of Member States under Article 17 of the Charter of the United Nations to bear the expenses of the Organization as apportioned by the General Assembly,

1. *Reaffirms* its role in accordance with the provisions of Article 19 of the Charter of the United Nations and the advisory role of the Committee on Contributions in accordance with rule 160 of the rules of procedure of the General Assembly;

2. *Also reaffirms* its resolution 54/237 C of 23 December 1999;

3. *Requests* the Secretary-General to continue to bring to the attention of Member States the deadline specified in resolution 54/237 C, including through an early announcement in the *Journal of the United Nations* and through direct communication;

4. *Urges* all Member States requesting exemption under Article 19 of the Charter to submit as much information as possible in support of their requests and to consider submitting such information in advance of the deadline specified in resolution 54/237 C so as to enable the collation of any additional detailed information that may be necessary;

5. *Agrees* that the failure of the Comoros, Guinea-Bissau, Sao Tome and Principe, Somalia and Yemen to pay the full minimum amount necessary to avoid the application of Article 19 of the Charter was due to conditions beyond their control;

6. *Decides* that the Comoros, Guinea-Bissau, Sao Tome and Principe, Somalia and Yemen shall be permitted to vote in the General Assembly until the end of its seventieth session.

¹ *Official Records of the General Assembly, Seventieth Session, Supplement No. 11 (A/70/11).*



General Assembly

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9 October 2015

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Seventieth session

Agenda items 15 and 116

**Integrated and coordinated implementation of and follow-up to
the outcomes of the major United Nations conferences and
summits in the economic, social and related fields**

Follow-up to the outcome of the Millennium Summit

**Letter dated 24 September 2015 from the Permanent Representative
of the former Yugoslav Republic of Macedonia to the United Nations
addressed to the Secretary-General**

I have the honour to transmit herewith a joint statement of the States members of the Central European Initiative at the United Nations summit for the adoption of the post-2015 development agenda, at which the 2030 Agenda for Sustainable Development was adopted (see annex).

I should be grateful if the present letter and its annex would be issued as a document of the General Assembly under agenda items 15 and 116.

(Signed) Vasile Andonoski
Ambassador
Permanent Representative

15-17547 (E) 141015



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Annex to the letter dated 24 September 2015 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

Joint statement of the States members of the Central European Initiative at the United Nations summit for the adoption of the post-2015 development agenda, New York, 25 to 27 September 2015

1. The States members of the Central European Initiative share a common understanding of their responsibilities for making a tangible contribution to global efforts in eradicating poverty, strengthening universal peace and achieving an economically, socially and environmentally sustainable future and prosperity for the people and the planet, which stand at the core of the transformative, universal and integrated plan of action, the 2030 Agenda for Sustainable Development.
2. The States members of the Central European Initiative pledge their full support to the 2030 Agenda for Sustainable Development and are confident that it provides a unique opportunity to reach consensus on common, specific goals, priorities, challenges and aspirations that reinforce the global action for sustainable development, and it promises to leave no one behind.
3. The States members of the Central European Initiative call upon the international community to display the utmost degree of good will and mutual trust in order to support the new, effective Agenda in which all countries of the world — developed, developing, countries with economies in transition and emerging economies — can manage to address the challenges together.
4. The Central European Initiative stands ready to contribute to the implementation of the 2030 Agenda for Sustainable Development. The Initiative is committed to pursuing actions towards achieving sustainable development in its area through its activities in the promotion and development of energy efficiency, the security of energy supply, know-how transfer and exchange of best practices, the research and development of renewable energy sources and sustainable consumption; action on such issues as biofuels, sustainable urban transport and greenhouse gas emissions; and initiatives aimed at building the capacity of public institutions, awareness-raising, environmental education and sharing best environmental practices.

**General Assembly**

Distr.: General
12 October 2015

Original: English

Seventieth session
Agenda item 79 (a)
Oceans and the law of the sea

Report on the work of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects

Letter dated 12 October 2015 from the Co-Chairs of the Ad Hoc Working Group of the Whole addressed to the President of the General Assembly

We have the honour to transmit to you the attached report on the work of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, which sets out, in section II, the agreed recommendations to the General Assembly at its seventh session. Pursuant to paragraph 264 of Assembly resolution 69/245, the Working Group met at Headquarters from 8 to 11 September 2015.

We kindly request that the present letter and the report be circulated as a document of the General Assembly, under agenda item 79 (a).

(Signed) João Miguel **Madureira**

(Signed) Fernanda **Millicay**

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Report of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects

I. Discussions

1. The sixth meeting of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, was convened pursuant to paragraph 264 of General Assembly resolution 69/245. The meeting was held at Headquarters from 8 to 11 September 2015.
2. The Co-Chairs of the Working Group, João Miguel Madureira (Portugal) and Fernanda Millicay (Argentina), opened the meeting. The Under-Secretary-General for Legal Affairs, Legal Counsel, delivered opening remarks on behalf of the Secretary-General.
3. Representatives of 51 Member States, 1 non-member State, 9 intergovernmental organizations and other bodies and 3 non-governmental organizations attended the meeting.¹
4. The following members of the Group of Experts, established pursuant to paragraph 209 of resolution 65/37, also attended the meeting: Lorna Inniss (Barbados), Alan Simcock (United Kingdom of Great Britain and Northern Ireland), Enrique Marschoff (Argentina), Beatrice Padovani Ferreira (Brazil), Jake Curtis Rice (Canada), Juying Wang (China), Peyman Eghtesadi-Araghi (Islamic Republic of Iran), Sean O. Green (Jamaica), Renison Ruwa (Kenya), Hilconida P. Calumpang (Philippines), Chul Park (Republic of Korea), Osman Keh Kamara (Sierra Leone) and Joshua Tuhumwire (Uganda).
5. The following supporting documentation was available at the meeting: the provisional agenda, the annotated provisional agenda, the meeting format outline, the proposed organization of work, and the summary of the first global integrated marine assessment (see A/70/112).
6. The Working Group adopted the agenda (see annex I) and agreed on the organization of work as proposed by the Co-Chairs. A number of delegations made general statements, and some delegations announced that they had contributed or intended to contribute to the voluntary trust fund for the purpose of supporting the operations of the Regular Process.
7. Under agenda item 4, the Working Group took note of the report of the Bureau as presented by the Co-Chairs.
8. Under agenda item 5, the Director of the Division for Ocean Affairs and the Law of the Sea reported on the status of the voluntary trust fund and expressed thanks to the Governments of Belgium, China, Ireland, New Zealand, Portugal, the Republic of Korea, and the United Kingdom for their contributions since the previous meeting

¹ A complete list of participants is available on the website of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs (www.un.org/Depts/los/global_reporting/global_reporting.htm).

of the Working Group, in March 2014, which had made it possible for experts from developing countries to attend the meeting. Delegates were reminded that, without additional funding, it would not be possible to provide the same level of financial assistance to experts to attend future meetings of the Regular Process.

Consideration of the first global integrated marine assessment, including its summary

9. The Working Group considered the first global integrated marine assessment under agenda item 5. In that regard, the Group of Experts presented the assessment, including the process of preparing it, to the Working Group. The Group of Experts provided a brief history of the Regular Process, outlined the main conclusions from the assessment and enumerated the knowledge gaps and the capacity-building gaps identified in the assessment. With regard to the summary, the main themes were as follows:

- (a) Implications for the ocean of climate change and related changes in the atmosphere;
- (b) Challenges faced by marine biota;
- (c) Food security and safety;
- (d) Biodiversity hotspots as magnets for human activities;
- (e) Increasing and conflicting demands for ocean space;
- (f) Increasing inputs of harmful materials;
- (g) Cumulative impacts of human activities on biodiversity;
- (h) Uneven distribution of ocean benefits and disbenefits;
- (i) Integrated management of human activities;
- (j) The urgency of addressing threats to the ocean.

10. A number of delegations made general statements regarding the preparation of the assessment and its summary, as well as the successful completion of the first cycle of the Regular Process.

11. Many delegations welcomed the assessment and expressed thanks to the Group of Experts, the pool of experts and all others involved in the preparation of the assessment and in the completion of the first cycle of the Regular Process. Delegations expressed thanks to the Co-Chairs and the members of the Bureau for their work. One delegation particularly noted the constant challenges faced by the Bureau as it had progressively taken on more responsibilities than had been initially conceived. Delegations also commended the work of the Division for Ocean Affairs and the Law of the Sea as secretariat of the Regular Process. Several delegations also recognized the support provided by the secretariats of other intergovernmental organizations, in particular the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization and the United Nations Environment Programme.

12. It was noted that the assessment provided a comprehensive report on the state of the world's oceans. Several delegations noted that it conveyed clear and strong messages about the state of the marine environment and the challenges associated

with its use. The assessment also highlighted the need for coordinated and integrated action to understand and address the pressures caused by human activity. It was also noted that, at the regional level, the value of the assessment was more limited, given that, at least in the North Atlantic and Arctic contexts, existing arrangements for providing scientific assessments and advice appeared to be more sophisticated.

13. Delegations noted that the assessment was intended to provide a baseline and a reference point for future assessments at the global and regional levels, and that subsequent cycles would evaluate trends. It was underlined that the assessment had provided the international community for the first time with baselines on the state of the marine environment, including socioeconomic aspects, and identified capacity-building needs and knowledge gaps.

14. Delegations reiterated that the assessment was intended to provide a scientific basis for policy decisions and not to make recommendations about management or analyse the success of current policies. One delegation noted the importance of the assessment being relevant, legitimate, credible and based on the best available science.

15. Several other delegations expressed the view that the manner in which the scientific work had been conducted and the steering of the process by Member States appeared to have worked well by maintaining a distinction between scientific work and policymaking. Some pointed out that the value of the assessments produced under the Regular Process should not be merely scientific, given that the assessments were to provide a relevant basis for and foster policymaking and decision-making.

16. It was also noted that the quality of the scientific work, together with the broad participation of scientists from all over the world, provided legitimacy and credibility to the process, bearing in mind the need for the continued strengthening of scientific quality. In that regard, one delegation noted that there were substantial differences between some of the chapters of the assessment, in terms of scientific quality, length and level of detail.

17. The importance of broad dissemination of the assessment in order to enhance its impact on decision makers was underlined. It was suggested that the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea could play a significant role in that regard and in assisting the General Assembly in addressing the conclusions of the assessment and analysing the gaps.

18. Some delegations expressed the hope that the assessment would reinforce the importance of oceans to sustainable development and highlight the unique role of small island developing States in managing large areas of the world's oceans.

19. It was observed that the 10 themes under which the assessment had been organized reflected the priorities not only of small island developing States, which faced particular vulnerabilities, but also encompassed issues that should concern all States. It was further noted that the sustainable use and management of oceans and their resources was a key aspect of the 2030 Agenda for Sustainable Development, as reflected in Sustainable Development Goal 14 (Conserve and sustainably use the oceans, seas and marine resources for sustainable development). The supporting role that the assessment could play in the implementation of Goal 14 was emphasized by a number of delegations. The view was also expressed that other Sustainable Development Goals were also relevant.

20. Several delegations noted that sustainable development could not be achieved without the transfer of technology, and that there remained a need to assist small island developing States, through knowledge transfer or other appropriate mechanisms, to enhance their capacity to undertake national assessments.

21. Several delegations expressed concern over the scarcity of financial resources for the Regular Process, recalling that they had supported the consideration of the allocation of resources through the regular budget. They noted that accommodations had had to be made owing to that lack of resources, such as the translation into all official languages of only the summary. In that regard, they voiced their continued support for providing additional resources to further strengthen the capacity of the Division, in particular its human resources, to enable it to continue performing high quality work as the secretariat of the Regular Process. Some delegations recalled the importance of the voluntary trust fund for the purpose of supporting the operations of the Regular Process and announced that they had contributed to the fund. Several delegations stated that they were considering extending the technical and financial support that they had provided to the first assessment, while encouraging a discussion on making the Regular Process more cost-efficient. While acknowledging the need to be cost-efficient, one delegation noted that, despite being funded by voluntary contributions and operating within existing resources, the first cycle had produced an impeccable result. However, it was stressed by several delegations that that model was unsustainable for future cycles, and that a budgetary allocation was important to the continuation of the Regular Process.

22. It was noted that the Regular Process had relied on the commitment of the scientific community. Some delegations recalled that they had contributed experts to the Group of Experts and the pool of experts.

Consideration of lessons learned and the way forward for the Regular Process

23. The Working Group jointly considered agenda items 6 and 7, with a view to addressing the lessons learned in conjunction with the way forward. The Co-Chairs invited the Joint Coordinators of the Group of Experts to report on the periodic self-evaluation of the work of the Group in order to enhance its performance, including the lessons learned by the Group during the first cycle of the Regular Process. During the discussions, the Working Group took note of the letters of 11 May and 7 September 2015 from the Joint Coordinators to the Co-Chairs (see annex II). The secretariat of the Regular Process was also asked to provide a brief overview of the lessons learned on its part.

24. The lack of resources and its impact upon the first cycle of the Regular Process were mentioned by the Joint Coordinators and reflected in their letters to the Co-Chairs. The secretariat highlighted, in particular, the constrained resources that had had to be redeployed in the organization of the meetings of the Working Group and the established institutions; the organization of the workshops in the regions; the support to the Joint Coordinators and lead members in the preparation of the assessment; the transmission of the assessment for comment by Member States, intergovernmental organizations and peer reviewers; the review of the summary and revised chapters leading to the finalization of the advance and unedited text; and the administration of the voluntary trust fund, including fundraising.

25. With regard to the way forward, the secretariat indicated the activities that were to be implemented with respect to the first assessment, including its promotion

and dissemination to relevant policymaking entities and processes; the delivery of presentations at relevant intergovernmental and other forums; follow-up actions in relation to the capacity-building needs identified in the assessment and mandated by the General Assembly; and the preparation of the assessment for publication by Cambridge University Press.

26. Delegations expressed thanks to the Group of Experts for its report and for the lessons learned that had been highlighted and to the secretariat for the information that had been provided. Delegations also stated that the discussion of lessons learned was useful in refining and improving some aspects of the work, with a view to the launching of a second cycle.

27. Delegations expressed their support for the second cycle of the Regular Process. It was noted by one delegation that reasonable time was needed before making the second cycle operational, in order to carefully review, plan and disseminate information on the outcome of the first cycle. Several delegations said that the view that the length, scope, objectives and guiding principles of the second cycle should enable the use of the second assessment to support policy development at various geographic levels and should include explicit references and links to regional assessments.

28. Delegations recalled that the General Assembly had recognized the importance of ensuring mutual support and avoidance of duplication of effort between the assessment and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. Reference was also made to other ongoing assessments of relevance to the Regular Process and how important it was to carry out a survey of recent and ongoing assessments.

29. Similarly, it was noted that the second cycle should also aim at ensuring its coherence and mutual reinforcement with all other relevant United Nations processes, including the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea and the implementation of Sustainable Development Goal 14 on oceans. As a concrete step, it was suggested that the assessment could be presented to the High-level Political Forum on Sustainable Development at its next meeting, in 2016. It was also noted by several delegations that standardized measurements could help to avoid duplication and improve cohesion.

30. There was general consensus that the consideration of lessons learned from the first cycle of the Regular Process should be continued with a view to the implementation of the second cycle, including by inviting Member States, observers and other participants in the Working Group to contribute by sending their views in writing to the secretariat, by convening one or more informal open meetings and by requesting the Bureau to inform the Working Group at its seventh meeting of the views received and to circulate that information in advance of that meeting.

31. It was noted that, during the first cycle of the Regular Process, Member States had had little indication as to how difficult the process would become as it progressed. The difficulties faced by the Bureau, especially in the latter part of the first cycle, were also recalled. A number of delegations emphasized that some level of continuity in the Group of Experts and the Bureau, in particular among the Co-Chairs, as well as more engagement on the part of the Bureau, from the beginning of the cycle, would be desirable in the future.

32. In that regard, it was agreed that members who served on the Group of Experts for the first cycle would be asked for advice, and the letters annexed to the present report would be reviewed, in the consideration of the lessons learned in advance of the seventh meeting of the Working Group.

33. In addition, the secretariat of the Regular Process was requested to compile an inventory of available information on recent and ongoing assessments and other processes at the regional and global levels relevant to the Regular Process for presentation to the Bureau by the end of February 2016. It was noted that the assistance of UN-Oceans would be instrumental in that endeavour.

34. With respect to the funding of the second cycle, delegations, having noted the significant human and financial resource constraints under which the first cycle of the Regular Process was conducted (see para. 21), considered the various ways in which funding could be provided for the second cycle. The possibilities mentioned included fully funding the second cycle through a regular budget allocation or through a combination of a regular budget and voluntary contributions. Several delegations endorsed the call by the Group of Experts for more resources to be deployed to the secretariat in order to assist the Regular Process. Information was requested regarding the budget constraints experienced by the Division for Ocean Affairs and the Law of the Sea as the secretariat of the Regular Process.

35. The Working Group considered that the overall resource requirements for the second cycle of the Regular Process would need to be prepared in advance of the seventh meeting of the Working Group, following informal open meetings with Member States, observers and other participants in the Working Group regarding the implementation of the second cycle.

36. With regard to the process of appointments to the pool of experts and the shortcomings highlighted by the Joint Coordinators, delegations recognized the shortcomings and noted the importance of addressing the appointment process through regional groups in order to expedite the process. One delegation suggested that there might be a need to either adopt a mechanism to streamline the existing process or to adopt different processes. In that regard, another delegation emphasized that a clear, transparent and structured process was essential for the success of the second cycle. Several delegations voiced support for the appointment of national contact points. Some welcomed suggestions by the Group of Experts concerning the future possibility of a process to electronically transmit nominations for the pool of experts in order to facilitate access to information about the nominees.

37. Regarding participation in the pool of experts, one delegation echoed the concerns of the Group of Experts concerning the limited participation by experts from certain disciplines, in particular the social and economic sciences.

38. It was noted that the interest of scientists in participating in the second cycle would depend on the extent of dissemination and communication of the results of the first cycle to the scientific community and the general public. It was also suggested that summary documents should be accessible to the broader public and policymakers.

39. One delegation noted that, while States had been offered the opportunity to comment on the first draft of the assessment and seek clarification from the Group of Experts, similar opportunities had not been provided in the case of the second draft, especially with respect to newly added material. Another delegation noted

that, while conscious of the need to ensure the scientific independence of the assessment, additional interaction with regard to comments might be needed to satisfy the concerns of States.

40. It was noted that some peer reviewers had found the peer review process complicated owing to differences in quality between chapters and, in some cases, the lack of feedback as to how their comments had been taken into account. It was also unclear whether all chapters had been subject to a thorough scientific technical review before being submitted for review by Member States. In that respect, the view was expressed that there was a need for a more formal, structured and transparent peer review process, perhaps one drawing on existing editorial management systems.

41. Noting the call from the Group of Experts for regional workshops, several delegations expressed support for the idea of beginning the next phase with such workshops. It was noted that the workshops would bring together scientists, lawyers and policymakers, among others, and provide an indication of how different areas of expertise could contribute to the work of the Regular Process and, specifically, to the second cycle. Some delegations recalled that capacity-building was one of the core objectives of the Regular Process, and that workshops had assisted in that regard.

42. The importance of holding workshops for writing teams, which would allow them to meet in person, potentially at the beginning and during the middle of the writing phase, was emphasized. It was observed that regional workshops could help to avoid overlap among chapters. In that regard, it was noted that the scope of chapters should be determined in order to avoid duplication and that standardized procedures for providing guidance for writers, quality control, editorial management and peer review should be included in future processes.

43. One delegation noted areas of the assessment in which existing data were not sufficient or had not been fully explored. Another highlighted the need to further consider gap analysis, while several suggested comprehensive and extensive use of regional assessments to avoid overlap and ensure consistency among regional assessments and the work of the second cycle. One delegation suggested a database-driven reporting system with key indicators/data to facilitate the long-term success of the Regular Process. The importance of defining baseline indicators that were harmonized and comparable across regions and that would allow for integration and consistent assessment of trends in future cycles was underlined.

44. Several delegations stressed that the second cycle of the Regular Process should be more policy-oriented, and subsequent assessments should be drafted to facilitate policymaking at all geographical levels. In that regard, several delegations welcomed the idea of identifying certain priorities, from a policy perspective, among the diverse issues faced by the marine environment. The view was expressed that assessments should be policy-relevant rather than policy-prescriptive.

45. One delegation highlighted the call from the Group of Experts for more inter-agency coordination. In that regard, some observer delegations expressed the hope of receiving a clearer and expanded role in the future beyond a simple call from the General Assembly to support the Regular Process. It was noted that the technical agencies of the United Nations system had a wealth of relevant information and expertise that had not been used to its maximum effect. One observer delegation noted that it had embarked upon the development of a global ocean science report, which

would be published in 2017 and could help to inform the development of a capacity-building strategy under the Regular Process.

Adoption of recommendations to the General Assembly at its seventieth session

46. With respect to the consideration of the recommendations, there was consensus that the recommendations concerning the immediate resource requirements for the Regular Process would be made without prejudice to the informal consultations on the draft resolution on oceans and the law of the sea beginning on 14 September 2015 and without proposing to prioritize the work of the Division.

47. Based on the foregoing discussions, the Working Group adopted a set of recommendations (see sect. II). The Working Group recommended that its next meeting should be convened in 2016.

48. On 12 October 2015, the Co-Chairs transmitted the present report and the recommendations to the President of the seventieth session of the General Assembly.

II. Recommendations of the Ad Hoc Working Group of the Whole to the General Assembly at its seventieth session

49. The Ad Hoc Working Group of the Whole recommends to the General Assembly that it:

(a) Welcome with appreciation the first global integrated marine assessment and approve its summary;

(b) Recognize the importance of the assessment, including for the small island developing States;

(c) Recognize with utmost appreciation the work of the members of the Group of Experts² during the entire first cycle of the Regular Process and, in particular, the work carried out with respect to the assessment;

(d) Also recognize with utmost appreciation the work of those members of the pool of experts who contributed to the preparation of the assessment;

(e) Recognize with appreciation the support provided by the Division for Ocean Affairs and the Law of the Sea, as the secretariat of the Regular Process, during the first cycle of the Regular Process;

(f) Also recognize with appreciation the important role of the Bureau of the Ad Hoc Working Group of the Whole and thank the members of the Bureau for their guidance during the intersessional periods;

² The members of the Group of Experts are: Joint Coordinators: Lorna Inniss (Barbados) and Alan Simcock (United Kingdom); Amanuel Yoanes Ajawin (Sudan), Angel C. Alcalá (Philippines), Patricio Bernal (Chile), Hilconida P. Calumpong (Philippines), Peyman Eghtesadi-Araghi (Islamic Republic of Iran), Sean O. Green (Jamaica), Peter Harris (Australia), Osman Keh Kamara (Sierra Leone), Kunio Kohata (Japan), Enrique Marschoff (Argentina), Georg Martin (Estonia), Beatrice Padovani Ferreira (Brazil), Chul Park (Republic of Korea), Rolph Antoine Payet (Seychelles), Jake Rice (Canada), Andrew Rosenberg (United States), Renison Ruwa (Kenya), Joshua T. Tuhumwire (Uganda), Saskia Van Gaever (Belgium), Juying Wang (China) and Jan Marcin Węśławski (Poland).

- (g) Further recognize with appreciation those organizations that contributed to the first cycle of the Regular Process, including the United Nations Environment Programme and the Intergovernmental Oceanographic Commission for their technical and scientific, logistical and financial support;
- (h) Emphasize the importance of making Governments, intergovernmental organizations, the scientific community and the general public aware of the assessment and request the secretariat of the Regular Process to make the assessment available on its website and on the website of the World Ocean Assessment, and undertake other activities with the view to raising awareness of the assessment;
- (i) Encourage States and invite relevant intergovernmental organizations to fully take the assessment into account as part of various processes, such as the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, and recognize the supporting role of the assessment in the implementation of the 2030 Agenda for Sustainable Development;
- (j) Recall the importance of ensuring that assessments, such as those prepared under the Intergovernmental Panel on Climate Change, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services and the Regular Process, support one another and avoid unnecessary duplication, and the importance of taking into account assessments at the regional level;
- (k) Take note of the views expressed by Member States, including members of the Bureau, observers and other participants in the Working Group, the Group of Experts and the secretariat of the Regular Process, on the lessons learned from the first cycle of the Regular Process and of the need to continue the consideration of those issues during the intersessional period;
- (l) Take note with appreciation of the contributions, including in-kind contributions, for workshops, the website and support to members of the Group of Experts;
- (m) Also take note with appreciation the contributions to the voluntary trust fund for the purpose of supporting the operations of the first five-year cycle and for the duration of the operations of the Regular Process, while expressing its concern about the difficulty in raising sufficient funds for the Regular Process;
- (n) Take note of the significant human and financial resource constraints under which the first cycle of the Regular Process was conducted;
- (o) Recall its decision that, in the first cycle, the scope of the Regular Process would focus on establishing a baseline and, in subsequent cycles, extend to the evaluation of trends;
- (p) Launch the second cycle of the Regular Process;
- (q) Request the Bureau to continue the consideration of lessons learned from the first cycle of the Regular Process with a view to the implementation of the second cycle, including by inviting Member States, observers and other participants in the Working Group, through the Co-Chairs, to contribute by sending their views in writing to the Bureau and convening one or more informal open meetings with Member States, observers and other participants in the Working Group, and request the Bureau to inform the Working Group at its seventh meeting of the views received and to circulate that information in advance of the seventh meeting;

(r) Request the Secretary-General to convene the seventh meeting of the Working Group in 2016 with a view to providing recommendations to the General Assembly on the follow-up to the assessment, the implementation of the second cycle of the Regular Process, including its budget and duration and any adjustments that might be necessary in the light of lessons learned from the first cycle, including with regard to resource requirements, before the end of the seventieth session, taking into full consideration the discussions on lessons learned and the way forward;

(s) Also request the Secretary-General to review the resource requirements for the second cycle of the Regular Process and to report to Member States in advance of the seventh meeting of the Working Group;

(t) Request the secretariat of the Regular Process to compile, subject to budgetary considerations, an inventory of available information on recent and ongoing assessments and other processes at the regional and global levels relevant to the Regular Process, and to submit it to the Bureau by the end of February 2016;

(u) Decide that the meetings of the Working Group shall continue to be coordinated by two co-chairs, representing developing countries and developed countries, respectively, to be appointed by the President of the General Assembly, in consultation with regional groups, for the duration of the second cycle;

(v) Request the Secretary-General to invite the Chairs of the regional groups to constitute a group of experts, ensuring adequate expertise and geographical distribution, comprising a maximum of 25 experts, with no more than 5 experts per regional group, for the duration of the second cycle of the Regular Process, taking into account the desirability of some degree of continuity, and in accordance with the terms of reference for the Group of Experts;³

(w) Invite individuals who served in the Group of Experts during the first cycle of the Regular Process to provide advice, as required, to the Bureau and the Working Group until the Group of Experts for the second cycle has been appointed;

(x) Consider the immediate resource requirements of the Division, as the secretariat of the Regular Process, within the context of the proposed programme budget for the biennium 2016-2017, and to that end request the Secretary-General to submit those requirements to the General Assembly.

³ See A/67/87, annex III.

Annex I

Agenda of the sixth meeting of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects

1. Opening of the meeting.
2. Adoption of the agenda.
3. Organization of work.
4. Report of the Bureau.
5. Consideration of the first global integrated marine assessment, including its summary.
6. Consideration of lessons learned from the assessment.
7. Consideration of the way forward for the Regular Process.
8. Adoption of recommendations to the General Assembly at its seventieth session.
9. Other matters.
10. Closure of the meeting.

Annex II

Letter dated 11 May 2015 from the Joint Coordinators of the Group of Experts addressed to the Co-Chairs of the Ad Hoc Working Group of the Whole

Lessons learned from the first cycle of the Regular Process

1. When you met the Group of Experts of the Regular Process on 30 April 2015, you asked us to write to you to summarize the views that the Group expressed at that time about lessons learned during the preparation of World Ocean Assessment I.
2. In general, we think that the arrangements of the Working Group, its Bureau, the Group of Experts and the pool of experts have been the right general structure. However, there are many points on which improvements are needed, especially in the provision of supporting resources.

Working Group and its Bureau

3. As the bodies responsible for managing the Regular Process, the Working Group and its Bureau need to have a consistent approach. To begin with, there were relatively frequent changes in the Co-Chairs of the Working Group. This meant that there was a need to keep bringing new Co-Chairs up to speed on the process. The situation has been much better since you provided stability in these roles. While there are always bound to be occasions for change as the careers of appointees develop, we think that there is a strong case for appointing the Co-Chairs for several years at a time, rather than year by year.

Group of Experts

4. We found that the Group of Experts, with just over 20 members, was able to develop a coherent approach to the tasks that it was given, that members from very different backgrounds were able to work cooperatively and that meetings of that size were manageable. We therefore think that the composition of five members from each of the five regional groups has been a sound approach and would support its continuation. Owing to the way in which the arrangements for the Regular Process developed, the Group had to be reappointed several times. Fortunately, that did not lead to any lack of continuity. For the second cycle, however, there would be advantages in having the Group appointed for the full cycle from the start.
5. It has been a drawback that one regional group did not appoint the full complement of five members: it could well have helped to have had three additional pairs of hands for the work.
6. We suggest that, in the future, more consideration be given to the balance of expertise within the Group. For example, for World Ocean Assessment I, it would have been helpful to have had more economic and social expertise. This is likely to also be a need in a second cycle of the Regular Process. For the second cycle, there would also need to be a balance between bringing in new members and maintaining some continuity by retaining some members of the present Group. Achieving a balance among those various needs will not be straightforward when combined with

separate appointments by the five regional groups. Advice from the Bureau could assist in striking the necessary balance.

7. It is essential that members of the Group be able to commit themselves to the work. Three members of the Group have been unable to attend any meetings of the Group. Although those three members have provided some input by e-mail, their contributions have been very limited. Three other members of the Group have been able to attend only irregularly because of their other commitments: this has, again, limited the contributions that they could make.

8. There have also been problems with the attendance of one further member of the Group, who has had difficulties in obtaining the visas necessary for meetings in New York. Those difficulties have meant that he has missed four meetings. In part, that has been because the formal invitation letters could be issued only relatively close to the dates of meetings because the financing necessary for travel could not be assured early on.

9. This problem of lack of adequate notice of meetings has also meant that other members have had to miss meetings because the dates eventually chosen clashed with their existing commitments. There have also been some difficulties with lack of advance notice of meetings arising from the internal processes of some Administrations, which require several weeks' notice to authorize travel requests.

10. In general, the Governments of the developed countries from which members of the Group have been drawn have been prepared to underwrite the travel and subsistence costs of those members. However, related problems may underlie some of the absences of some members from some meetings of the Group.

11. There is a need for further thought on these issues in order to ensure that resources are clearly available well in advance, so that formal invitations can be issued in good time.

Pool of experts

12. There have been major problems with organizing the pool of experts. The pool has been an essential ingredient in producing World Ocean Assessment I. However, we know that many of those nominated have felt that their enthusiasm has not been recognized. Those individuals have lost interest as a result.

13. A large part of the problem stemmed from the mechanism chosen for nominating the members of the pool. This required States to present their nominations through their missions in New York, which then submitted them to the Division for Ocean Affairs and the Law of the Sea through the regional groups. In some cases, missions did not understand the process, and nominations were therefore delayed. In addition, the regional groups and their Chairs (who changed monthly) did not understand the process and often lacked the resources to play their part. For example, in one regional group, it was eventually determined that the mission holding the chair had put a large batch of nominations in a cupboard and forgotten about them. In another regional group, the nominations were initially seen as part of the regular elections process and were held up for negotiations as part of that process.

14. The way in which the nominations were presented also caused problems. Most of the personal history forms for members of the pool were presented to the

Division as paper documents. This meant that it was not possible to search through the forms for people who had publications to their credit in specific fields except by a laborious manual search, for which staff time was not available. An effective electronic system for nominations needs to be established, linked to the subsequent communications system between the Group of Experts and the members of the pool.

15. The problems with the website, discussed below, also meant that it was not possible to get back to people who had been nominated to the pool for the better part of a year. This gave many of the experts the feeling that World Ocean Assessment I was not a serious undertaking, and, therefore, made them unwilling to devote time and effort to it.

16. Communications with members of the pool proved to be difficult. They were, of course, asked to provide e-mail addresses, but messages sent to them often did not yield responses. The reasons why seem to have included changes to e-mail addresses for which either notice had not been provided or changes had not been made to the website record as well as e-mails being diverted to spam folders and a lack of interest. Trying to chase up experts who did not reply was extremely difficult, given that it required a message from the Division to the relevant mission in New York, which then passed the message to the Ministry of Foreign Affairs in the capital and then to whichever authority was handling the nomination of experts, before it had any chance of reaching the expert. It could be useful if Governments were able to designate a national contact point to facilitate communication with members of the pool.

Resources

17. The question of the resources needed to carry out World Ocean Assessment I effectively was never properly addressed. States, non-governmental organizations and foundations were invited repeatedly to contribute to the trust fund that was set up. Some States made contributions without further pressure, and efforts by the coordinators and the Division mobilized some further contributions.

18. The Group of Experts was asked by the Co-Chairs in April 2012 for an indication of the resources that would be needed. A budgetary indication was produced. That was not a proper budget, but rather a back-of-the-envelope calculation to give some indication of the type of financial support that would be needed and its scale. The budgetary indication was not circulated to the Working Group until several months later and was never discussed. The only resources raised for the trust fund have had to be devoted to meeting the costs of members from developing countries to attend meetings of the Group.

19. The absence of a clear commitment of resources had a wide range of effects. Among other things:

(a) It generated a belief among many of those approached to take part that the whole exercise was not a serious undertaking, and that any time or effort that they might have been prepared to devote to it would, therefore, be wasted;

(b) It made it difficult to schedule meetings of the Group of Experts well in advance;

(c) It made it impossible to purchase information that was only available only from databases that required payment, such as that of the World Tourism Organization;

(d) It made it impossible to organize meetings of writing teams;

(e) It put great pressure on one of the Coordinators, given that it was not possible to pay her Government to allow her to use a specific share of her time for the work involved.

Writing teams

20. It was clear from the outset that it would be necessary to bring in experts in many different fields to supplement the expertise of the Group of Experts. However, after the pool of experts had been constituted, it proved, in many cases, to be very difficult to mobilize experts from the pool to join teams to write chapters. Partly this was, no doubt, due to the loss of motivation, as described above. Partly it was also due to the fact that, while many members of the pool were prepared to act as commentators or peer reviewers, few were ready to join writing teams to prepare drafts.

21. In one case, for example, the 83 experts nominated to the pool who had indicated an interest in the subject were invited to indicate whether they wished to participate as a member of the writing team, a commentator or a peer reviewer. Only 22 responded, of whom only 6 were prepared to be members of the writing team. Of the 12 who were prepared to be commentators to review the draft text before it went for review by the States and peer review, only 7 actually provided comments.

22. It is clear from this that much more effort will be needed in the second cycle to establish and maintain contact with members of the pool of experts. This is likely to require dedicated staff.

23. There were also no funds to provide for meetings of writing teams. Efforts of the Group of Experts resulted in an offer from China of funds for one meeting, but various constraints meant that it was impossible to take advantage of the offer.

24. Those who have participated in writing teams of the Intergovernmental Panel on Climate Change have reported the great benefits arising from being able to arrange meetings of writing teams. Not only does it allow for much more in-depth discussion than can be achieved by e-mail exchanges, but it also encourages experts who are less sure of themselves (especially when their mother tongue is not English) to be ready to participate.

Communications

25. From the start, it was agreed that the Regular Process would require a website for communications with the members of the pool of experts and with the general public. Resources were found to establish that website through the good offices of Australia, Norway and UNEP/GRID Arendal. Unfortunately, there was a long delay between agreements to establish the website and provide resources and the actual availability of the website. That delay was due to the need to establish formal agreements between the United Nations Secretariat, Norway and UNEP/GRID

Arendal regarding the legal status of the website. As explained above, that delay probably contributed to a lack of enthusiasm among the members of the pool.

26. Much care went into the selection of Editorial Manager as the software system for managing the chapter texts and communicating with the pool of experts. However, for various reasons, largely relating to the fact that the system was not particularly suited to handling texts in the process of drafting and revision, and that resources were not available for training the members of the Group of Experts in the use of the software, the system ultimately made a much smaller contribution to the work than had been hoped.

27. A separate system, provided by the United Nations Secretariat for communication among the members of the Group of Experts, was not very successful. Initially, the United Nations QuicKr system was used. That proved to be slow to use, largely because it required the downloading of a substantial amount of software every time anyone logged in. That system was replaced with Unite Connections, which also proved to be difficult to use. In the end, it proved to be more effective to use ordinary e-mail and the free service of Dropbox. More attention will be needed to be paid to providing more effective means of communication between members of the Group of Experts that will allow them to work collectively on the same document.

Workshops

28. There were eight regional workshops in support of the Regular Process, hosted by Australia, Belgium, Chile, China, Côte d'Ivoire, India, Mozambique and the United States of America, respectively. The workshops were successful in spreading knowledge about the Regular Process and in assembling useful information for World Ocean Assessment I. The host Governments thus made significant contributions to the Regular Process. The workshops could have made an even greater contribution had there been greater support from the secretariat for them. The Division for Ocean Affairs and the Law of the Sea put a great deal of effort into organizing the workshops, but could not provide sufficient staff to ensure really good follow-up. Furthermore, because the workshops were initiated well before the pool of experts was in place, there were no effective links between the pool and the workshops, which diminished the effectiveness of the workshops. It would have helped if members of the pool could have been included regularly among those attending the workshops.

Secretariat

29. The Division for Ocean Affairs and the Law of the Sea was appointed as the secretariat of the Regular Process. Given that that task had to be accommodated within the existing resources of the Division, there were limitations on the support that it could provide. Although the members of the Group of Experts had to draft papers and record conclusions for its meetings, the Division was able to provide assistance in that regard towards the end. The technical and scientific support that could be provided for checking drafts, finding material and ensuring consistency was limited. There was also a lack of capacity to make sure that deadlines were met.

30. Efforts were made to get a donation of project management software to facilitate the monitoring of progress. However, those efforts were unsuccessful. It did not prove practical to use Editorial Manager for that purpose, given that its focus is on the later stages of managing a publication. There were no resources to purchase suitable commercial project-management software.

Communication with the scientific community and the general public

31. Although the website was established and populated with much information on World Ocean Assessment I, the resources needed to make it an effective means of communication with the scientific community and the general public were insufficient. Nor were there resources to develop systems of communication through social media. The absence of such methods of communication undermined the task of securing commitment from the scientific community and the general public.

32. To date, it has not been possible to set up ways of communicating the results of World Ocean Assessment I to Governments, the scientific community and the general public. Doing so is essential to preventing the dissipation of the achievements of the assessment.

Recommendations

33. You asked us to make recommendations on how the second cycle of the Regular Process might be improved. The Group of Experts suggests the following:

(a) Member States need to demonstrate their commitment to the Regular Process by:

- (i) Seriously considering the information provided in World Ocean Assessment I and taking it into account in making decisions;
- (ii) Making proper resources available for the second cycle of the Regular Process.

If commitment is not demonstrated in these ways, it will be difficult to mobilize enthusiasm for the second cycle among the marine scientific communities;

(b) A critical first step towards the second cycle is to make Governments, the scientific community and the general public aware of the results of the first cycle. It will not suffice simply to send a note verbale to the missions in New York, to make it available on the website and to publish it through the Cambridge University Press. There needs to be a concerted effort to draw attention to it, in particular through presentations at appropriate scientific meetings and congresses. Funds will be needed to enable this effort;

(c) Although the overall structure of the Working Group, the Bureau, the Group of Experts and the pool of experts has been demonstrated to work adequately, it would be helpful if:

- (i) The Co-Chairs of the Working Group and its Bureau were able to commit themselves to the work for several years;
- (ii) The Group of Experts were assured of continuity in the composition of the group throughout the cycle;
- (d) While the present method of appointing the Group of Experts has worked well, it would be good if:
 - (i) The full complement of 25 members were appointed;
 - (ii) There were more representation of economic and social experts alongside marine science and environmental experts;

- (iii) There were a balance between new appointments to the Group and continuation of those involved in the first cycle.

Advice from the Bureau to the regional groups in the General Assembly could help to achieve sub-items (ii) and (iii);

- (e) If the Group of Experts is to have coordinators, any coordinator in full-time employment should be given sufficient time away from that job to carry out the coordination work;

- (f) The pool of experts should be maintained, but efforts should be made to clarify the commitments that its members make to the work, to improve communications with them and to keep them informed;

- (g) It will be important for work to begin very early in the second cycle to address some gaps in knowledge, to establish quantified baselines and to improve methods of integrated assessment;

- (h) There should be an early round of regional workshops, which should involve the members of the pool of experts, and which should enable dialogue on what World Ocean Assessment I has delivered and how the work described in item (e) should be organized;

- (i) Methods of communication should be improved between members of the Group of Experts and with the members of the pool of experts, as well as with both the scientific community and the general public. To that end, the website should have a designated manager and a relevant social media presence should be developed. It would also help if the designation of national contact points were considered;

- (j) The secretariat should be strengthened so that it can provide technical and scientific support on the work described in item (e), ensure proper follow-up to regional workshops and develop means of communication;

- (k) Provision should be made in the second cycle for meetings of small groups of experts engaged in specific projects or producing components for World Ocean Assessment II. If writing teams are used for the second cycle, there should be meetings of at least some of those teams;

- (l) Resources should be available to purchase access to commercial databases and periodicals and other publications from which information is not freely available.

(Signed) Lorna Inniss

(Signed) Alan Simcock

Letter dated 7 September 2015 from the Joint Coordinators of the Group of Experts addressed to the Co-Chairs of the Ad Hoc Working Group of the Whole

1. At the end of August 2015, through the secretariat of the Regular Process, you asked us to make a presentation during the meeting of the Ad Hoc Working Group of the Whole, from 8 to 11 September, on the Group of Experts' post-assessment evaluations of the outcomes and products of the first cycle, including, in relation to future assessments, capacity-building, resource needs, strengthening the science-policy interface, communications strategies and awareness-raising needs.
2. In May 2015, at your request, we wrote to you setting out the views of the Group of Experts on the lessons learned from the implementation of the first cycle of the Regular Process in terms of the procedures followed and the practical arrangements made. We included in that letter several proposals for improving the process for future cycles. You circulated that letter to the participants in the Working Group without the attached proposals, given that they had not been considered by the Bureau of the Working Group.
3. That letter covers the internal aspects of the workings of the Regular Process, and the Group of Experts has nothing further to add to that letter on the lessons learned regarding procedures and practical arrangements and the related resource needs.
4. The present letter, which is based on a speedy consultation of the Group of Experts, goes on to address the additional, external aspects of the Regular Process covered by your latest request. These include giving best effect to the underlying purposes of a regular integrated assessment of the marine environment, covering environmental, social and economic questions, the means for encouraging exchanges between science and policy (including enhancing the "visibility" of the issues) and the steps needed to build the capacities necessary for analysing issues, developing and implementing policies and encouraging the creation of employment in new and sustainable technologies.
5. Two distinct sets of issues can be identified. First, there is the question of what to do with the product of the first cycle. Second, there is the question of the focus of the second (and future) cycles.
6. On the question of what to do with the product of the first cycle, we stressed in our first letter that, in addition to whatever uses the General Assembly and States chose to make externally of the first global integrated marine assessment, there was a crucial internal function to consider: maintaining commitment from marine experts to support and participate in future cycles of the Regular Process. We consider that the way in which States and intergovernmental organizations take the first assessment into account will have a great impact in that regard. If little international attention is given and no clear actions are taken with regard to World Ocean Assessment I, marine experts will be very reluctant to commit their time and effort to future cycles.
7. Although this "internal" question is significant, the "external" aspects are much more important. As part I (summary) of World Ocean Assessment I shows, the world's ocean is facing major pressures simultaneously on many different fronts. Concerted actions are needed if those pressures, individually and cumulatively, are

not to undermine the capacity of the ocean to support human well-being and conserve biological diversity.

8. We suggest that one way of encouraging such concerted action would be for the General Assembly to draw the attention of the specialized agencies and programmes of the United Nations system to World Ocean Assessment I and to invite them to inform the Assembly of how their current programmes of work address the issues identified and what changes they might consider in the light of the assessment.

9. Furthermore, it is critical that an analysis be undertaken of any gaps in addressing the challenges highlighted in World Ocean Assessment I that fall between the work of the various specialized agencies and programmes. UN-Oceans would perhaps be best placed to carry out such a gap analysis, although some external input could also be useful.

10. The responses of the specialized agencies and programmes, together with the gap analysis, could then provide the basis for the General Assembly to review the situation and to take or to propose any actions that might be desirable. The United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea could perhaps play a part in preparing such discussions in the Assembly.

11. As another aspect of the "internal" question of maintaining the commitment of marine experts, we noted in our letter of May 2015 that a further round of regional workshops was desirable. Regional workshops have drawn a lot of local attention, and can provide very positive feedback. In addition to drawing greater attention to World Ocean Assessment I, future workshops would present opportunities to discuss the next cycle of the Regular Process in the light of the outcomes of the assessment and previous workshops.

12. The above-mentioned round of regional workshops could also play an important part in the "external" aspect, provided that the regional workshops involve not only a sufficient diversity of marine experts (from both the natural sciences and the social sciences) but also policymakers. That would enable policymakers and marine experts to engage with each other on the issues of importance to the region. Such engagement is important if concrete actions at the regional level are to result from World Ocean Assessment I, and if future cycles of the Regular Process are to further increase its value. The guidelines for workshops agreed upon by the Working Group and endorsed by the General Assembly would need to be modified if that approach were to be adopted.

13. An important element of World Ocean Assessment I has been the identification of gaps in knowledge and in capacities (and of the related opportunities for capacity-building and technology transfer) both for assessment and management purposes. It therefore seems important that the follow-up should pay special attention to the task of addressing those gaps. The initial inventory of capacity-building compiled by the Division for Ocean Affairs and the Law of the Sea can be a useful basis for this task. It seems that there is a need for coordination of actions to fill gaps in information collection and capacity-building in order to ensure adequate coverage and avoid overlap. The specialized agencies and programmes of the United Nations system have an important role to play here, and an inter-secretariat group from specialized agencies and programmes, such as UN-Oceans, could serve as a useful forum for coordination. Specific requests to these organizations for such action would seem appropriate.

14. On the question of how the second cycle should be managed, the Working Group recommended, in 2009, that the aim of the first cycle should be to provide a baseline. For that reason, the agreed outline for World Ocean Assessment I aimed to ensure that it produced a comprehensive and coherent overview. A primary function of future cycles is then to examine trends in relation to that baseline.

15. To facilitate that, we suggest addressing the following four issues:

(a) First, where regional sea organizations exist, we think that they need to be brought into a closer relationship with the Regular Process. Where regional assessments are appropriate, work at the regional level should be strengthened to produce regional assessments, using a common methodology, as inputs to the global synthesis. That methodology should, among other things, encourage regional assessments to identify the changes observed in comparison with World Ocean Assessment I. In cases where national assessments only are appropriate, States could be invited to adopt similar approaches. On that basis, the second cycle could start from sets of identified changes, rather than having to identify changes from scratch. That would allow more effort to be devoted to the integration of the assessment;

(b) Second, based on the suggested systematic review of gaps, regional assessments should also address the material and actions that would fill knowledge gaps identified in World Ocean Assessment I;

(c) Third, the focus of the Regular Process on capacity-building implies that there should be a coherent approach to reporting on progress in capacity-building specifically;

(d) Fourth, we remind the Working Group that, for the first cycle, the agreed approach, endorsed by the General Assembly, was to organize the assessment simultaneously by ecosystem services, by human activities and (within biodiversity) both by species groups and by habitats. The body chosen to take the expert lead in the next cycle should initially concentrate efforts on simplifying the structure in order to enhance the integration and the policy-relevant aspects of the second assessment as a whole.

16. In other words, the second cycle could be organized to address a relatively small number of topics that are of high priority from a policy perspective. For those topics, the assessment could be designed to evaluate trends in key metrics since World Ocean Assessment I was conducted, cross-cutting drivers of change and gaps that were revealed during, and subsequent to, World Ocean Assessment I. If appropriately focused, the second cycle could require less effort and result in a shorter document.

(Signed) Lorna **Inniss**

(Signed) Alan **Simcock**



**General Assembly
Security Council**

Distr.: General
13 October 2015

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General Assembly
Seventieth session
Agenda items 34, 71 and 72

Security Council
Seventieth year

Prevention of armed conflict

Right of peoples to self-determination

Promotion and protection of human rights

**Letter dated 12 October 2015 from the Permanent Representative of
Armenia to the United Nations addressed to the Secretary-General**

I have the honour to transmit to you the attached statement (see annex) of the Ministry of Foreign Affairs of the Nagorno Karabakh Republic, dated 9 September 2015, on the local self-government elections held on 13 September 2015.

I kindly request that the present letter and its annex be circulated as a document of the General Assembly, under agenda items 34, 71 and 72, and of the Security Council.

(Signed) **Zohrab Mnatsakanyan**
Ambassador
Permanent Representative



Annex to the letter dated 12 October 2015 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

Along with aggravating the situation on the line of contact and making repeated attempts at reconnaissance and sabotage, as well as continuously shooting with large calibre mortars and artillery, the Azerbaijani authorities have launched a hysterical campaign against the ongoing democratic processes in the Nagorno Karabakh Republic.

On 31 August, the Azerbaijani Foreign Ministry issued a statement condemning the forthcoming local self-government elections of 13 September in the Nagorno Karabakh Republic. That statement, which contains the traditional set of baseless accusations against the Nagorno Karabakh Republic and Armenia, was actively disseminated in international organizations and structures. In their turn, the State-controlled Azerbaijani media have started a race in their attempts to obtain similar accusations from the representatives of various countries and international organizations.

Condemnation of the municipal elections in the Nagorno Karabakh Republic by Azerbaijan is a manifestation of the panicked phobia of the Azerbaijani leadership towards the democratic processes taking place in the Nagorno Karabakh Republic. This is especially evident against the background of the deteriorating situation with regard to human rights and freedom of speech in Azerbaijan, in which elections are an open-ended process of inheritance, human rights activists and journalists are persecuted for dissent, and the population is deprived of the opportunity to fully realize its fundamental rights and freedoms. Bringing to an end any illusion of democracy in its country, the leadership of Azerbaijan is not giving up on the attempt to impose its own "standards" of human rights throughout the international community, including in neighbouring countries.

In this regard, we consider it necessary to note that, in line with its commitment to democratic values and principles, the organization of public life and the formation of the authorities of the Nagorno Karabakh Republic are carried out solely by means of free, fair, transparent and competitive elections, which have become an integral part of the political culture of the Nagorno Karabakh Republic.

The forthcoming elections of 13 September are the sixth elections for the local government in the Nagorno Karabakh Republic. The first municipal elections, including the election for the mayor of Stepanakert, were held on 27 September 1998.

The implementation of local self-government in the Nagorno Karabakh Republic, which safeguards the citizens' direct participation in the conduct of public affairs, is regulated by the Constitution of the Nagorno Karabakh Republic, in full compliance with international law and particularly the European Charter of Local Self-Government.

Attaching special importance to the institution of local self-government as a form of direct and representative governance by the people and the foundation of any democratic regime, the authorities of the Nagorno Karabakh Republic will spare no effort to enhance its further development and strengthening.

**General Assembly**

Distr.: General
13 October 2015

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Seventieth session

Agenda items 133, 143 and 148

Programme budget for the biennium 2014-2015**Administration of justice at the United Nations**

**Administrative and budgetary aspects of the financing
of the United Nations peacekeeping operations**

**Administration of justice at the United Nations and
activities of the Office of the Ombudsman and
Mediation Services**

**Report of the Advisory Committee on Administrative and
Budgetary Questions**

I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered the reports of the Secretary-General on the administration of justice at the United Nations (A/70/187) and the activities of the Office of the United Nations Ombudsman and Mediation Services (A/70/151). The Advisory Committee also had before it the report of the Internal Justice Council on the administration of justice at the United Nations (A/70/188). During its consideration of the reports, the Committee met with representatives of the Secretary-General, who provided additional information and clarification, concluding with written responses received on 7 October 2015.

2. The reports of the Secretary-General are submitted pursuant to General Assembly resolution 69/203, in which the Assembly requested that the Secretary-General report on several issues relating to the administration of justice at its seventieth session. The report on the administration of justice at the United Nations provides statistics on the functioning of the system of administration of justice for 2014, as well as responses to the Assembly's requests in resolution 69/203. The report on the activities of the Office of the United Nations Ombudsman and Mediation Services provides information on the activities of the Office for 2014.

3. The present report contains the Advisory Committee's observations and comments on the Secretary-General's reports. In section II, the Committee provides

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its recommendations on the administration of justice and on the Secretary-General's responses to the requests of the General Assembly in resolution 69/203. Section III contains the Committee's recommendations on the Office of the United Nations Ombudsman and Mediation Services.

4. On the basis of its review of the Secretary-General's reports on the administration of justice in recent years, the Advisory Committee considers that it would be useful to include a glossary of legal terminology in future reports to enhance the understanding of the readership.

II. Administration of justice at the United Nations

Overall observations

5. In paragraphs 6 to 15 of his report, the Secretary-General makes overall observations. In particular, he observes a discernible link between decisions that have had an impact on large numbers of staff members and an increase in cases received in the formal system of internal justice. This link was also identified in the previous report of the Secretary-General (A/69/227).

6. In 2014, such decisions included: a rostering exercise for field service staff that resulted in more than 600 requests for management evaluations and one application to the United Nations Dispute Tribunal; a decision not to grant permanent appointments to staff members of the International Tribunal for the Former Yugoslavia, resulting in some 260 requests for management evaluations; and the holding of a periodic salary survey, which triggered a temporary remuneration freeze for some staff, resulting in more than 100 applications to the Dispute Tribunal (see A/70/187, paras. 7 and 20).

7. The Secretary-General considers that, apart from the above-mentioned decisions and the related increase in cases, the number of cases received in the formal system each year has in fact stabilized (see A/70/187, para. 10).

8. The Advisory Committee recalls that since the system came into operation in 2009, the number of new cases received across the different parts of the formal system of administration of justice had increased generally each year until 2012, when a decrease in new cases received by the Management Evaluation Unit and the Dispute Tribunal was recorded (see A/68/530, para. 4). In 2013, there was an increase in new requests or cases in all parts of the formal system except the United Nations Appeals Tribunal and the Office of Staff Legal Assistance, followed by an overall increase across the different parts of the system in 2014. **The Advisory Committee notes that these statistics demonstrate a continuing fluctuation in the number of cases received by different parts of the formal system from year to year. In the view of the Committee, therefore, it is premature to draw conclusions about what constitutes a normal level of recourse to the formal system and whether or not the caseload of the system has stabilized. The Committee trusts that the Secretary-General will continue to collect data on the formal system, including information on the decisions resulting in a large number of instances of formal recourse, and to provide a disaggregated analysis of the data in future reports.**

9. The report of the Secretary-General also indicates that in 2014: (a) the majority of cases received were related to benefits and entitlements, appointment-

related matters and separation from service; and (b) a slight majority of staff members filing cases with the Dispute Tribunal and the Appeals Tribunal were self-represented.

10. The Secretary-General highlights in his report the significant number of cases resolved informally during the reporting period. More than 200 cases pending in the formal system were resolved without the need for a final adjudication on the merits. As at 30 April 2015, some 75 per cent of management evaluation requests received in 2014 had not been pursued beyond the management evaluation stage (see A/70/187, paras. 13-15). **The Advisory Committee commends efforts to resolve cases prior to litigation, including through enhanced cooperation between the formal and informal parts of the justice system, and encourages further efforts in that regard.**

A. Review of the formal system of justice

Management Evaluation Unit

11. The report states that in 2014, the Management Evaluation Unit received 1,541 requests for management evaluation (compared with 933 in 2013), of which 1,402 were closed by the end of the year. Of these, 417 were upheld decisions of the Organization, 84 were reversed decisions, 89 were moot requests, 5 were formally settled requests, 768 were non-receivable requests, 31 were withdrawn requests and 8 were misrouted requests (see A/70/187, table 1).

12. The report also indicates that 125 requests were resolved through efforts by the Unit itself or by the decision maker(s) themselves or with the involvement of the Office of Staff Legal Assistance or the Office of the United Nations Ombudsman and Mediation Services. Three resolutions included the payment of compensation, for a total of \$29,173. In addition, compensation paid in 2014 related to six staff members who had filed requests in 2013 and two staff members who had filed requests in 2012 (see A/70/187, para. 25 and annex VI).

United Nations Dispute Tribunal

13. The report indicates that the United Nations Dispute Tribunal had 226 pending cases as at 1 January 2014 and received 411 new cases in 2014 (compared with 289 in 2013). The Tribunal disposed of 320 cases, and, as at 31 December 2014, 317 cases were pending. The Tribunal rendered 148 judgements, issued 827 orders and held 258 court sessions (see A/70/187, para. 33 and tables 3 and 5). Regarding the outcomes of cases, the report indicates that 81 applications were withdrawn, 22 were closed by inter-registry transfer, 4 were closed for want of prosecution and 2 were for revision, interpretation or execution. The Tribunal rendered 97 judgements in favour of the respondent and 57 judgements decided, in part or in full, in favour of the applicant (see A/70/187, figure IV).

14. The Advisory Committee notes that in 2014, the number of judgements and orders issued and court sessions held in the Dispute Tribunal in Geneva was considerably lower than those in New York and Nairobi, with 67 cases disposed of in Geneva, compared with 128 in Nairobi and 125 in New York, during the same period (see A/70/187, tables 4 and 6). Upon enquiry, the Committee was informed that this had been due to the absence of one full-time judge in Geneva for most of

the year following the resignation of one judge at the end of March 2014. The Committee notes the significant impact of the absence of a full-time judge on the Dispute Tribunal in Geneva, which had only one full-time judge throughout the year and, for a period of three months, one half-time judge.

15. In that connection, in his report the Secretary-General proposes the extension of the three ad litem judge positions and their supporting staff for one year, from 1 January to 31 December 2016, in order to keep abreast of the caseload and reduce the time taken for the disposition of cases (see A/70/187, paras. 46-49). **The Advisory Committee has no objections to the proposed extension of the three ad litem judges of the Dispute Tribunal and the supporting staff complement.**

United Nations Appeals Tribunal

16. The report indicates that the United Nations Appeals Tribunal had 110 cases pending from 2013 and received 137 new cases in 2014 (compared with 125 in 2013). The Tribunal disposed of 146 cases, leaving 101 cases pending as at 31 December 2014. The Appeals Tribunal rendered 100 judgements, issued 42 orders and held one oral hearing in 2014. Sixty-five per cent of the appeals and applications were filed by staff members, and 35 per cent were filed on behalf of the Secretary-General. Of the 86 appeals related to Dispute Tribunal judgements, 40 were filed by staff members and 46 were filed on behalf of the Secretary-General. Of the 40 appeals filed by staff members, 30 (75 per cent) were rejected, 8 (20 per cent) were granted in full or in part and 2 (5 per cent) were closed or withdrawn. Of the 46 appeals filed on behalf of the Secretary-General, 13 (28 per cent) were rejected and 33 (72 per cent) were granted in full or in part (see A/70/187, para. 63).

17. The report indicates that the number of interlocutory motions filed before the Appeals Tribunal rose from 39 in 2013 to 84 in 2014, reflecting an increase of 115 per cent. The Secretary-General states that such motions require early attention, including between sessions, in order to provide the parties with timely judicial direction and avoid delay (see A/70/187, table 8 and para. 72).

Monetary compensation

18. Annex VI to the report provides information on the monetary compensation awarded by the two Tribunals in 2014 or paid in 2014 in respect of earlier judgements. It shows that the Dispute Tribunal awarded such compensation in 79 cases in 2014, including 20 related to the Department of Field Support. In 27 of the 79 cases, the Appeals Tribunal vacated or decreased the compensation awarded by the Dispute Tribunal (see A/70/187, para. 67). Upon enquiry, the Advisory Committee was informed that out of the 20 cases related to the Department of Field Support resulting in monetary compensation, 9 were linked to mission downsizing (most of which related to the United Nations Mission in the Sudan and the United Nations Mission in Liberia). The Committee was also informed that in order to avoid similar disputes in the future, a policy on downsizing was being developed under the leadership of the Office of Human Resources Management. **The Advisory Committee notes the information provided on the compensation awarded by the Tribunals and welcomes the development of a policy on mission downsizing as a result of the lessons learned from the emerging jurisprudence.**

Office of Staff Legal Assistance

19. The report states that the Office of Staff Legal Assistance received 1,180 new cases in 2014, compared with 765 in 2013. The relatively high number of cases in 2014 was due to a number of "class appeals".¹ The Office closed or resolved 1,171 cases, including cases from previous years. As at 31 December 2014, 222 cases were pending (see A/70/187, para. 78 and table 10). Upon enquiry, the Advisory Committee was informed that the Office's largest client groups were composed of staff members at peacekeeping missions (417 clients), staff at Headquarters (194 clients) and staff located in "other" locations, comprising mostly offices away from Headquarters and the funds and programmes (496 clients).

20. The report refers to General Assembly resolution 68/254, in which the Assembly decided to implement, on an experimental basis from 1 January 2014 to 31 December 2015, a voluntary payroll deduction in order to supplement the funding of the Office of Staff Legal Assistance. Subsequently, in resolution 69/203, the Assembly requested the Secretary-General to continue to collect data relating to financial contributions made by staff to the Office and to report on the implementation of incentives for staff not to opt out of the voluntary supplemental funding mechanism (see A/70/187, paras. 124-130). The related observations and recommendations on the voluntary supplemental funding mechanism are set out in paragraphs 24 to 27 below.

B. Responses to the requests by the General Assembly in its resolution 69/203

21. In resolution 69/203, the General Assembly made a number of requests to the Secretary-General for information and proposals for consideration at its seventieth session, and in paragraph 50 thereof requested the Secretary-General to report on the implementation of the resolution at that session. Details relating to the responses to those requests are contained in paragraphs 113 to 152 of the Secretary-General's report. The responses include information on the five issues discussed in paragraphs 22 to 31 below.

1. Revised proposal for conducting an interim independent assessment of the system of administration of justice

22. In paragraph 11 of its resolution 68/254, the General Assembly requested the Secretary-General to submit to the Assembly for consideration at its sixty-ninth session a revised proposal for conducting an interim independent assessment of the system of administration of justice, to be carried out in a cost-efficient manner by independent experts, including experts familiar with internal labour dispute mechanisms. The purpose of the assessment is to examine the system of administration of justice in all its aspects, with particular attention accorded to the formal system and its relationship with the informal system, including an analysis of whether the aims and objectives of the system set out in General Assembly resolution 61/261 are being achieved in an efficient and cost-effective manner.

¹ Situations in which large groups of staff from the same United Nations entity facing the same issues approached the Office for assistance, but each case was counted as a single case.

23. Pursuant to the direction and guidance of the General Assembly set out in resolution 69/203, the Secretary-General appointed a panel of independent experts to conduct such an assessment. Upon enquiry, the Advisory Committee was informed that the panel, composed of five experts, had met in May 2015 and would remain operational for a period of six months until the end of October 2015.² The panel is supported by a secretary at the P-5 level and an administrative assistant. In accordance with paragraph 13 of resolution 69/203, the Secretary-General will transmit the recommendations of the panel, together with its final report and his comments, for consideration by the Assembly at the main part of its seventy-first session. **The Advisory Committee welcomes the establishment of the panel and reiterates its view that an interim independent assessment of the system of administration of justice is desirable at this juncture to evaluate the functioning of the system to date and to ensure that it is meeting its objectives as a mechanism to effectively resolve labour disputes within the Organization (see A/68/530, paras. 18-20, and A/69/519, paras. 22-25). The Committee looks forward to the recommendations of the independent panel, together with the report of the Secretary-General and his comments. The Committee trusts that the recommendations and the related comments will be comprehensive and cover all major aspects of the justice system.**

2. Voluntary supplemental funding mechanism for the Office of Staff Legal Assistance

24. As discussed above, the General Assembly approved the creation of a voluntary staff-funded mechanism to supplement the funding of the Office of Staff Legal Assistance (see resolution 68/254, para. 33, and resolution 69/203, para. 33).

25. In that regard, in annex III to his report the Secretary-General provides information on the monthly opt-out rates for the main United Nations entities and the voluntary contributions by staff members under the mechanism from 1 April 2014 through 30 June 2015. The data show that the opt-out rates, while relatively stable during the 18-month period, varied greatly from one United Nations entity to the other. Upon enquiry, the Advisory Committee was provided with detailed statistics for the month of June 2015. They show that the opt-out rate was relatively low among international staff at field missions (31.05 per cent) and at the Office of the United Nations High Commissioner for Refugees (UNHCR) (37.47 per cent), while the rates were significantly higher at the United Nations Children's Fund (87 per cent), the United Nations Office at Vienna (78.42 per cent) and the Economic Commission for Latin America and the Caribbean (77.58 per cent).

26. Across all entities, contributions collected from staff under the mechanism total approximately \$60,000 per month. Those contributions allowed for the temporary recruitment of two P-4 Legal Officers (one in New York and one in Nairobi) and three Legal Assistants, located in Addis Ababa, Beirut and Nairobi, for the balance of the experimental period. Upon enquiry, the Advisory Committee was informed that the Legal Officers had assumed duties in February 2015, the Legal Assistant in Nairobi in June 2015 and the Legal Assistant in Beirut in August 2015. The Legal Assistant position in Addis Ababa had been advertised twice owing to a lack of successful applicants, and the job opening had since been closed. The report

² One panel member, who resigned on 5 August 2015 and subsequently passed away, was not replaced.

indicates that the staff contributions were not yet sufficient to allow for the addition of one Legal Assistant in Geneva.

27. The Secretary-General considers that it is critical that the Office of Staff Legal Assistance retain the additional Professional and General Service staff funded through the mechanism in order to properly handle the Office's caseload, and therefore requests that the experimental period established by the General Assembly for the purpose of providing for additional resources for the Office be extended for one year, from 1 January to 31 December 2016 (see A/70/187, para. 128). **The Advisory Committee recalls that this application of the mechanism was specifically limited to funding additional resources for the Office of Staff Legal Assistance. The Committee notes that the mechanism achieved enough to recruit a sufficient number of staff, despite significant opt-out rates in some entities and geographic regions. Therefore, the Committee does not object to the extension for one year, from 1 January to 31 December 2016, of the experimental period established by the General Assembly for the purpose of providing additional resources for the Office, pending the completion of the independent interim assessment and the consideration of any recommendations relating to the functioning and funding of the Office.**

3. Incentives for staff not to opt out of the supplemental funding mechanism

28. In paragraph 32 of resolution 69/203, the General Assembly requested the Secretary-General to report on the implementation of incentives for staff not to opt out of the voluntary supplemental funding mechanism and to report thereon in his next report. In that regard, the report lists various measures taken to persuade staff members not to opt out of the mechanism, including the following: (a) articles have been posted to the United Nations intranet to explain the mechanism and its benefits for staff; (b) the Chef de Cabinet has issued a memorandum to all heads of departments, offices and regional commissions to encourage contributions under the mechanism and support for the outreach efforts of the Office of Staff Legal Assistance; and (c) entities and duty stations with high opt-out rates have been prioritized in terms of outreach activities (see A/70/187, para. 130).

29. **The Advisory Committee acknowledges the efforts made thus far to persuade staff members not to opt out of the voluntary funding mechanism for the Office of Staff Legal Assistance and encourages the Secretary-General to renew and strengthen those efforts in the coming period, particularly in places where the participation rate is low. The Committee recommends that the General Assembly request the Secretary-General to continue to collect and examine data relating to staff contributions.**

4. Privileges and immunities of the judges

30. In paragraph 43 of resolution 69/203, the General Assembly requested the Secretary-General to review the issue of harmonization of the privileges and immunities of the judges and to submit a proposal in his next report. The Secretary-General's proposal, which is set out in annex IV to his report, includes amendments to the statutes of the Tribunals and has been submitted to the Assembly for its approval. Upon enquiry, the Advisory Committee was informed that the recommendation set out in paragraph 4 of annex IV to the report was that the Appeals Tribunal judges should benefit from the same privileges and immunities as

those enjoyed by the judges of the Dispute Tribunal, including the exemption of United Nations salary or emolument from taxation imposed by any national authority. According to the information provided to the Committee, the proposal would have no resource implications for the Organization.

5. Mechanism for addressing complaints against judges

31. In paragraph 46 of resolution 69/203, the General Assembly requested the Secretary-General to submit to it a refined proposal with regard to the scope of application and the title of the mechanism for addressing complaints under the authorized code of conduct applicable to judges of the Dispute Tribunal and the Appeals Tribunal. The proposal is set out in annex V to the report and has been submitted to the Assembly for its approval.

III. Activities of the Office of the United Nations Ombudsman and Mediation Services

32. The report states that the Office of the United Nations Ombudsman and Mediation Services opened 2,236 cases in 2014, representing a 7 per cent increase in caseload compared with 2013. Of those 2,236 new cases, 1,671 originated in the Secretariat, 431 in the funds and programmes and 134 in UNHCR. Cases originating at field missions³ represented 40 per cent of the total caseload of the Office and 51 per cent of the cases originating in the Secretariat (see A/70/151, figure II, para. 18 and figure VI).

33. In terms of the types of cases received in 2014, the main issues were "job and career", "evaluative relationships" (the relationship between a supervisor and a supervisee) and "compensation and benefits", accounting for 30 per cent, 23 per cent and 13 per cent of those cases, respectively (see A/70/151, paras. 15 and 16). The report also highlights systemic issues, including abusive behaviour and incivility in the workplace, the continuing imperative to strengthen investigations and the issues faced by staff serving in dangerous places (see A/70/151, paras. 59-86).

34. The report indicates that the utilization rate was 4 per cent in the Secretariat in 2014, reflecting an increase compared with the previous year, when the utilization rate was approximately 3 per cent.⁴ The rate was highest among staff at the D-1 level and above, at 9 per cent, and lowest among staff in the General Service category, at 2 per cent. The overall rate was 3.4 per cent for men and 5.2 per cent for women (see A/70/151, para. 19).

35. With regard to the distribution of cases by occupational group, the report shows that international professionals, who brought 46 per cent of the total number of cases, continue to be the most frequent users of the Ombudsman and mediation services, followed by General Service staff (17 per cent), national staff (15 per cent), Field Service staff (9 per cent), staff at the D-1 level and above (4 per cent), former staff (4 per cent), United Nations Volunteers (3 per cent) and others (2 per cent).

³ Field missions comprise the peacekeeping missions and special political missions of the Secretariat.

⁴ The utilization rate is defined as the relationship between the overall number of staff and the number of cases received.

36. The General Assembly, in resolution 69/203, requested information on the number and nature of cases brought by non-staff personnel. During the reporting period, 145 cases involved non-staff personnel, reflecting an increase of 20 per cent compared with the previous year. Of those 145 cases, 57 per cent came from individual contractors and consultants and 43 per cent from other categories of non-staff personnel. The main issues of concern relate to "compensation and benefits" (35 per cent) and "job and career" (22 per cent).

37. The report also indicates that the Mediation Service opened 64 cases in 2014 (compared with 73 cases in 2013). Fifty-seven cases emanated from the Secretariat and seven from the funds and programmes and UNHCR. Of the 64 cases received in 2014, 46 had been completed as at 15 July 2015; of these, 33 had resulted in settlements and 13 had not (see A/70/151, paras. 22 and 23).

38. Regarding the contribution of the Office of the United Nations Ombudsman and Mediation Services to the progressive development and revision of human resources policies and practices, the Advisory Committee was informed upon enquiry that the Office of the Ombudsman had regular meetings with the Office of Human Resources Management and the Department of Field Support, including on the implementation of the staff mobility framework. Specifically, the Office of the Ombudsman provided input on dealing with performance management in relation to the lessons-learned guides developed by the Management Evaluation Unit of the Department of Management and participated in discussions relating to the enterprise risk management exercise in the Secretariat (see also A/70/151, paras. 50-58). **The Advisory Committee supports the continued involvement of the Office of the United Nations Ombudsman and Mediation Services in the progressive development of human resources policies and practices.**

39. In paragraph 20 of resolution 69/203, the General Assembly regretted that the Secretary-General had not fulfilled the request to ensure that the revised terms of reference and guidelines for the Office of the United Nations Ombudsman and Mediation Services were promulgated, and reiterated its request to the Secretary-General to do so by the end of December 2014 at the latest. The Advisory Committee notes that the Secretary-General's report contains no information in that regard. Upon enquiry, the Committee was informed that extensive consultations had taken place within and among the Secretariat, the participating funds and programmes and UNHCR on the terms of reference for the Office and that the Executive Office of the Secretary-General had sent a draft of the terms of reference to the funds and programmes and UNHCR, where it was under active consideration. It is anticipated that the terms of reference will be promulgated in the form of a Secretary-General's bulletin in early 2016. **The Advisory Committee notes with regret that the Secretary-General has not yet complied with the request of the General Assembly to finalize the terms of reference for the Office of the United Nations Ombudsman and Mediation Services, and expects that the ongoing consultations will be concluded expeditiously and the related Secretary-General's bulletin promulgated in early 2016, but not later than the end of February 2016.**

IV. Conclusion

40. The actions to be taken by the General Assembly are indicated in paragraph 156 (a) to (d) of the Secretary-General's report on administration of justice at the United Nations (A/70/187). The Advisory Committee notes that in some cases, the actions requested of the Assembly include approval, while in others the Assembly is requested to take note of and approve the relevant provisions. **In the case of paragraph 156 (b) (viii) and (c), the Advisory Committee is of the view that these are matters for the General Assembly to determine.**